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7 UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

8 UNITED STATES OF AMERICA,

9 Plaintiff-Appellee,

10 v.

11 ROWLAND MARCUS ANDRADE,

12 Defendant-Appellant.  
13

Case Nos. 25-5095; 25-6056; 25-6507  
D.C. No. 3:20-cr-00249-RS-1  
Northern District of California,  
San Francisco

**EMERGENCY MOTION FOR  
TEMPORARY RELIEF PENDING  
RULING ON APPELLANT'S  
MOTION FOR MISC. RELIEF  
(DKT. 33)**

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15 **EXHIBIT-C**

16 Exhibit A of DEFENDANT MARCUS ANDRADE'S MOTION FOR ADMINISTRATIVE  
17 RELIEF TO EXTEND SURRENDER DATE AND NINTH CIRCUIT UPDATE  
18 Filed in District Court Dkt. 808-1.  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff

v.

ROWLAND MARCUS ANDRADE,

Defendant

CASE No. 3:20-cr-00249-RS-1

**DEFENDANT MARCUS  
ANDRADE'S MOTION FOR  
ADMINISTRATIVE RELIEF TO  
EXTEND SURRENDER DATE  
AND NINTH CIRCUIT UPDATE**

Judge: Hon. Richard Seeborg

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**EXHIBIT - A**

**APPELLANT'S MOTION FOR MISCELLANEOUS RELIEF  
(Appellant–Defendant's Motion to Use stock Assets and Conduct Public Fundraiser for  
Specialized Counsel and Family Support filed in United States v. Andrade, Ninth Circuit  
No. 25-5095, Dkt. 33)**

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

ROWLAND MARCUS ANDRADE,

Defendant-Appellant.

Case Nos. 25-5095; 25-6056; 25-6507

D.C. No. 3:20-cr-00249-RS-1

Northern District of California,  
San Francisco

**DEFENDANT-APPELLANT’S  
MOTION TO USE STOCK  
ASSETS AND CONDUCT PUBLIC  
FUNDRAISER FOR  
SPECIALIZED COUNSEL AND  
FAMILY SUPPORT**

**DEFENDANT-APPELLANT’S MOTION TO USE STOCK ASSETS AND CONDUCT  
PUBLIC FUNDRAISER FOR SPECIALIZED COUNSEL AND FAMILY SUPPORT**

The Appellant, through counsel, respectfully requests that the Court authorize the release of a portion of the joint stock associated with his 2015–2016 patent assets to cover necessary expenses.<sup>1</sup> These funds are required both to retain privately funded counsel with specialized expertise in national security, counterintelligence, classified information, and government informants, and to meet essential family-support and living expenses. In addition to selling a portion of his jointly-held stock, the Appellant intends to engage in a parallel public fundraising effort to lawfully support these costs. If he is unable to secure sufficient resources, the Appellant will require Court-appointed counsel with the requisite expertise. The Appellant further proposes that ten to fifteen percent of any funds obtained be placed in escrow or deposited with the Court

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<sup>1</sup> Although Mr. Andrade appears to possess the authority to release his joint stock or engage in fundraising—there being no court order restricting such actions prior to completion of his prison sentence—it is nonetheless prudent, given the circumstances of this case, to seek the Court’s approval before proceeding. His only restriction arises during supervised release, at which point he is prohibited from incurring new debt. See **Exhibit A** (Legal Opinion Letter). These are the same patent assets that the government, through Abramoff, attempted to misappropriate by force and threat of indictment from Appellant in 2018–2019. See D.C. Dkt. 777, Exhibits 777-4, 777-5, and 777-6; see also 9th Cir. No. 20-72001. As the government is well aware, these assets are potentially valued at more than fifteen times the amount of the monetary judgment. See D.C. Dkt. 777, Exhibit 777-1.

in connection with the forfeiture money judgment entered on October 14, 2025 (D.C. Dkt. 789), pending resolution of the appeal or a motion under 28 U.S.C. § 2255.<sup>2</sup> This authorization is necessary to ensure financial stability and adequate representation, thereby preserving the Appellant's ability to pursue a full and fair appeal.

This motion is also supported by: (1) Appellant's previously filed Motion for Removal of Appointed Counsel and Request for a 90-Day Extension of the Briefing Schedule to Get Off CJA (Dkt. 27); (2) counsel's prior Motion for Appointment of Appellate Counsel, which included a request that CJA counsel possess the necessary skill set (Dkt. 23); (3) Appellant's Response to the September 30, 2025 Order Regarding IFP Status (9th Cir. Dkt. 21); and (4) Defendant's Reply Motion to Remain on Bond Pending Appeal (D.C. Dkt. 777).

## I. INTRODUCTION

The defendant, Rowland Marcus Andrade, was charged with wire fraud arising from false press releases associated with the sale of his digital currency tokens during an Initial Coin Offering (ICO) from approximately October 2017 to February 2018, with the indictment period extending to October 2018. District court records show that the article writers involved

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<sup>2</sup> The Appellant will not fully address the likelihood of success in challenging the forfeiture money judgment until such time as he is represented by counsel possessing the specialized expertise described in this motion. Should the Court require additional information prior to ruling on the instant motion, or should the government object to this motion, current counsel will endeavor to address those matters falling within the scope of counsel's limited expertise, focusing solely on events occurring prior to the District Court's entry of the forfeiture money judgment on November 14, 2025. See, e.g., 9th Cir. 25-5095 Dkts. 21-2 at p. 2 of 44 (Oct. 12, 2025 Highsmith Email regarding misrepresentations), Dkt. 21 at p. 4 (Political Bias & Jury Prejudice by Admission of harmful political statements about liberals who reside in California and D.C. Dkt. 777 at p. 23:6-16 (Witness Intimidation); D.C. Dkt. 780 at p. 2:9-8 (Illegal proceeds from Abramoff passing through Andrade's company)). This raises the question of whether the government can still be rewarded with forfeiture, given its own misconduct in this case, including serious breaches of attorney-client privilege that resulted in **the government learning Andrade's case strategy prior to trial** (9th Cir. Dkt. 27, Exhibit 27-2 at p. 15 of 23), as well as other misconduct evident in the record such as FBI Agents being ordered to suppress evidence. Can the violation of a defendant's rights be grounds for overturning the monetary forfeiture?



communicated exclusively with Jack Abramoff who also testified against Andrade.<sup>3</sup> Evidence indicates that Abramoff simultaneously engaged in a scheme to launder hundreds of millions of dollars using Andrade's digital currency, including assisting sanctioned oligarchs in moving their money,<sup>4</sup> and was involved in U.S. election interference, with funds originating from Russia and Ukraine, passing through Angola and other countries, and ultimately transferred into the United States between 2015 and at least 2019. See 9<sup>th</sup> Cir. Dkt. 23-2 (Oct. 3, 2024, Declaration in Support of the Release of the CIPA Evidence) attached here as **Exhibit-B**; and also D.C. Dkt. 777, Exhibits 777-9 & 777-15.

Mr. Andrade's defense requires specialized analysis and understanding of the laws, government policies, and procedural rules governing classified information; investigations relating to national security, foreign intelligence, and counterintelligence; the collection of communications, including electronic surveillance, much of which falls under the Foreign Intelligence Surveillance Act (FISA); and the applicable Department of Justice and FBI policies regarding the use of government informants.

One of the significant complicating factors in preparing Mr. Andrade's appeal is counsel's lack of specialized knowledge regarding the use of, and the laws, policies, and procedures governing, classified information. Andrade's alleged co-conspirator, Jack Abramoff, was associated with the FBI, CIA, and NSA, and is presumed to have been either a government

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<sup>3</sup> Lobbyist and Article Writer Brian Darling testified that he sourced all of his articles through Abramoff, not Mr. Andrade. Dkt. 570 (Darling Trial Transcript). See at Trial Tr. 743:8, 751:11-19, and 755:7-10. Darling denied ever receiving any information for his articles from Mr. Andrade. Tr. 755:21-23.

<sup>4</sup> See D.C. Dkt. 656 at 34:16-24 and Fn. 35 regarding Ex. 3261 (shown to Abramoff at Tr. 1841:5) (May 2017 communications between Abramoff and his friend Eliezer Scheiner regarding the need to assist Ukrainian billionaire and notorious money launderer Gennadiy Bogolyubov with his money issues after Bogolyubov's assets were frozen by law enforcement in the United Kingdom — which directly preceded Abramoff reaching out to Mr. Andrade to convince him to do an ICO); Ex. 3262 (shown to Abramoff at Tr. 1858:25 to 1861:7) (Abramoff claims he does not recall the \$1 billion deal that involved Abramoff and some of his friends laundering money through Angola using AML Bitcoin).

employee or a government informant. Regardless of his precise status, the government likely maintained a file on Abramoff that included reporting on members of his highly sophisticated syndicate who participated in his international money-laundering scheme. This would encompass, for example, the government trial witnesses who testified against Mr. Andrade and were directly involved in the marketing of AML Bitcoin—such as John Bryan, Carlos DelaGardia, and Brian Darling. See 9th Cir. Dkt. 23-2 (Oct. 3, 2024 Declaration in Support of the Release of the CIPA Evidence, ¶¶ 15, 25), attached hereto as **Exhibit B**; see also **Exhibit C** (evidence of money-laundering activity by members of Abramoff’s organized-crime network who also served as government witnesses). Further support appears in D.C. Dkt. 777, Exhibit 777-15 at pages 44, 45, 46, 48, 51, 90, and 196–197 of 204. Notably, the image on page 48 of Exhibit 777-15 was provided to Abramoff by DelaGardia, followed by DelaGardia’s messages to Abramoff regarding his travel to China and Hong Kong to locate a trading desk.

Certain policies may have required the FBI to prepare reports that were placed both within the informant file and in other locations outside of that file such as the counterintelligence cases that were cross-referenced with Andrade’s case. Under the Classified Information Procedures Act (CIPA), the District Court authorized the government to withhold classified evidence on October 4, 2024, citing national security concerns and referencing the government’s submission of classified declarations (D.C. Dkt. 367 at 2:8–11). Based on this record, *it appears* that the District Court did not review the underlying classified documents and only reviewed a classified declaration. Mr. Andrade had requested to obtain district level CJA counsel with expertise in these matters prior to the District Court issuing an order in favor of the government.<sup>5</sup>

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<sup>5</sup> On September 6, 2024, Appellate requested to obtain district level CJA counsel that had relevant experience in CIPA, NSA, & Counterintelligence Cases. The Court denied his request. See **Exhibit-D**.

Current Appellant counsel lacks expertise in this highly specialized area, as well as knowledge of the rules and laws governing classified materials, and therefore cannot adequately request that the Ninth Circuit review the classified evidence to determine whether it was properly withheld.

Given the complexities of classified information, national security, counterintelligence, and government informants, the failure to provide counsel with specialized expertise constitutes ineffective assistance under the Sixth Amendment. Counsel lacking such specialized experience will be unable to identify or develop the critical legal arguments necessary at this stage of the appeal. Counsel does not know how to properly invoke the procedures required for this Court to review the underlying classified materials, as permitted under CIPA and applicable due-process principles, in order to determine whether the government's classified declarations accurately and fully summarized the withheld information.

Likewise, counsel lacks the expertise to seek an order from this Court directing the government to supplement the record with exculpatory or impeachment evidence likely contained within the classified materials, as required under *Brady* and its progeny. Without counsel capable of navigating these specialized processes, the Appellant cannot meaningfully assert or protect his constitutional rights on direct appeal.

This deficiency risks the loss of issues vital to the defense and undermines the defendant's ability to secure meaningful appellate or extraordinary review. Only counsel with appropriate expertise can ensure the defendant's rights are fully preserved and vindicated. Counsel is not sure if this Court has the authority to review the full classified documents and informant files including any related reporting on the individuals that were a part of Abramoff's Syndicate since not only did they also engage in the marketing of Aml Bitcoin, but the fact that some of them were also government trial witnesses against Andrade. The 9<sup>th</sup> Circuit Court may

not be *required to limit its CIPA review to the declaration(s) that was submitted to the District Court ex parte.* (D.C. Dkt. 367 at 2:8–11).

## II. BACKGROUND

On October 21, 2025, Counsel responded to the 9<sup>th</sup> Cir. Court’s September 30, 2025, Order (Dkt. Entry 19.1) regarding Andrade’s in forma pauperis (IFP) status. In that response, counsel outlined the reasons for maintaining IFP status given my indigent status.

On October 23, 2025, the Court authorized Appellants continued IFP status (Dkt. 22). Given Appellants financial limitations, counsel filed a motion requesting the appointment of CJA appellate counsel (Dkt. 23-1). In that motion, counsel made several requests regarding the qualifications of CJA appellate counsel, including:

1. That the appointed CJA counsel resides outside the Northern District of California (Dkt. 23-1 at p.2 ¶1(a) and ¶1(b));
2. That CJA counsel has federal appellate experience, specifically in CIPA, national security, and government informant-related cases (Dkt. 23-1 at p.3 ¶2);
3. That CJA counsel has the capacity to handle a voluminous appeal, given the complexity of the case (Dkt. 23-1 at p.3 ¶3);
4. That counsel not be dependent on CJA payments, ensuring robust and independent advocacy (Dkt. 23-1 at p.3 ¶3); and
5. That counsel was willing to cooperate in any screening or merits review process, acknowledging the extensive conflicts issues in this case (Dkt. 23-1 at p.3).

On November 14, 2025, Counsel asked the government if they would support Andrade selling stock in order to fund his legal defense and provide for his family but to date, has never responded. (See 9<sup>th</sup> Cir. 25-5095 Dkt. 27-3 at p. 3 of 38).

On November 14, 2025, the Court appointed Sandy Baggett—who resides outside the Northern District of California—as CJA appellate counsel, replacing current Counsel.

On November 17, 2025, the Appellant filed a Motion for Removal of CJA-Appointed Counsel and Request for a 90-Day Extension of the Briefing Schedule to Be Relieved from CJA (Dkt. 27). The motion also included a request to sell some of his 2015-2016 related joint-stock assets, although this request was not reflected in the title of the motion (Dkt. 27 at pages 3, 4, and in the Relief Section of Page 8).

On November 17, 2025, the Court *graciously* granted Mr. Andrade's pro se motion (Dkt. 28) and ordered:

*"The clerk will terminate from the docket counsel Baggett and will reinstate counsel John Pierce. Appellant's motion to stay briefing for 90 days to enable appellant to locate suitable replacement counsel is granted. When replacement counsel is identified, counsel Pierce must move to withdraw and appoint substitute counsel. Alternatively, if appellant is able to obtain sufficient funds to retain counsel Pierce or other retained counsel, counsel Pierce must so notify the court. Absent further motion or court order, the briefing schedule will be reset in 90 days."*

Because Andrade, acting pro se, inadvertently failed to properly reference his request to sell joint stock in the title of his original motion which may have led to the Court taking no action on it (Dkt. 27), Andrade now brings this motion through counsel to ensure the issue is properly presented.

### III. LEGAL STANDARD

Under 18 U.S.C. § 3006A, representation must include “investigative, expert, and other services necessary for adequate representation.” *Cuyler v. Sullivan*, 446 U.S. 335, 348–50 (1980) (confirming that the Sixth Amendment guarantees effective assistance of counsel free from conflicts of interest). The Ninth Circuit has also recognized that ineffective-assistance claims may be raised on direct appeal—not only through habeas proceedings—as held in *United States v. Steele*, No. 12-30005 (9th Cir. 2013).<sup>6</sup> Although no final decision has been made whether to pursue habeas relief concurrently with the direct appeal, that determination cannot be made when current counsel lacks the experience to first address the national security issues surrounding this case.

In the interest of justice, the Appellant respectfully requests that the Ninth Circuit exercise its discretion to grant the requested relief, as failure to secure specialized counsel would result in a denial of a fair appellate process. Should the Court find that, based on the arguments presented in this motion, Counsel has demonstrated an appearance that the Appellant’s constitutional rights were violated—whether by the district court, the government, or potentially by the Appellant’s former district-level CJA counsel—the requested relief should be granted to safeguard the Appellant’s right to a fair and meaningful appeal or § 2255 motion.

### IV. AML BITCOIN & CIPA, NSA, FISA, and CIA INVOLVMENT

The district record demonstrates that this case is inextricably and substantively intertwined with national-security, counterintelligence, and foreign-intelligence matters that

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<sup>6</sup> (Justia Law <https://law.justia.com/cases/federal/appellate-courts/ca9/12-30005/12-30005-2013-10-24.html>)\*. This ruling confirmed the circuit’s practice of allowing such claims to be heard on direct appeal, distinguishing it from the practice in other circuits and aligning with the principle that defendants have a right to a meaningful opportunity to be heard on their claims.

extend far beyond the scope of a standard criminal defense attorney. Andrade's FBI file was cross-referenced with multiple foreign-counterintelligence investigations, he was designated a "National Threat Band-1" subject, and several individuals materially connected to the case—including Jack Abramoff, Paul Erickson, Richard Naimar, Maria Butina, James Kahrs, Charles Johnson and Ben Dunn—were themselves linked to intelligence activity, foreign-agent inquiries, or operations involving the FBI, CIA, DOJ National Security Division, or NSA. The District Court authorized CIPA withholding based on classified declarations, and the record strongly suggests that the withheld materials likely include FISA-derived information, intelligence-community intercepts, informant files, and foreign-intelligence reporting related to the alleged conduct involving Abramoff and his network of international money launderers using Andrade's digital-currency platform during the Andrade indictment time frame.

Given that these issues involve complex legal frameworks, procedures, and intelligence-community practices well beyond the expertise of most criminal appellate attorneys, Mr. Andrade should be allowed to release and sell his joint-stock assets, as well as engage in a lawful public fundraising effort. This would enable him to secure the highly specialized legal representation his case requires and provide for his family during the appeals process. His appellate claims are inseparably intertwined with CIPA, FISA, due-process, and classified-evidence issues that must be properly developed and presented to this Court for meaningful review.

1. On July 30, 2024, a government attorney from the National Security Division in Washington, D.C., filed a notice of appearance in this case (D.C. Dkt. 328) and later provided testimony during a hearing on August 7, 2024. During the hearing, a prosecutor stated: "*And in this case, it requires a declaration from the **political head** of the Department, which we understand to be — well —.*" The prosecutor was referencing a political figure in Washington, D.C., which was presumed to be the U.S. Attorney General. Subsequently, the government also stated that another '*entity holder*' was in

possession of the classified evidence. Under the Classified Information Procedures Act (CIPA), the District Court authorized the government to withhold classified evidence on October 4, 2024 (D.C. Dkt. 367), citing national security concerns. The District Court stated, “*On the basis of the Court’s review of the arguments set form in the Government’s Motion and the **classified declaration(s)**, the Court finds that the classified information referenced in the Government’s Motion implicates the Government’s classified information privilege because the information is properly classified and its disclosure could cause serious damage to the national security of the United States.*” (D.C. Dkt. 367 at 2:8-11). Concerningly, it appears that the District Court may only have seen declaration(s) and not the actual classified evidence.

2. Andrade was designated as a “National Threat Band-1” subject—an FBI classification reserved for the highest national-security priorities, including espionage, clandestine intelligence operations, or similar threats. This designation appears to have resulted from intelligence-related activities tied to Abramoff’s use of Andrade’s digital currency. (FBI-Main-0001084.) Consistent with this classification, two FBI agents assigned to the National Security Division—Kevin Helson and Michelle Ball—who were also involved in the investigation of Russian spy Maria Butina and served as Igor Danchenko's FBI handlers, were present during the search of Abramoff’s home in 2018. Notably, Agent Ball purchased AML Bitcoin tokens in 2017 at the start of the ICO, during which she forgot to use a VPN. See **Exhibit E** (National Threat Band-1 & NSD Agents Helson and Ball).
3. FBI Agent turned Whistleblower Johnathan Buma who was originally a part of the FBI’s National Counterintelligence Taskforce, referenced Abramoff in foreign intelligence collection operations with foreign nationals, including with the DOJ’s national security division and counterintelligence division. This foreign intelligence report also cross-references **Andrade’s** case (labeled a Sensitive Investigative Matter) with Washington, D.C., case 813C-HQ-3178392, a matter that involves the collection of foreign intelligence relating to Ukraine. These documents include references to Ihor Kolomoisky, Dana Rohrabacher, Charles Johnson, Yuri Vanetik along with others.
4. Andrade’s FBI case file (58D-SF-2113481) is cross-referenced with numerous foreign counterintelligence matters, including but not limited to: 813C-HQ-3178392; 105I-WF-3033360; 105I-TP-3193890; 105H-WF-2284853; 318E-MP-2542057; 58C-LA-2207119; 105H-WF-2135481; and 105H-WF-3055568. I have been informed that the "105" case prefix is typically associated with FISA use and counterintelligence operations.
5. NDCA Judge Laura Beeler found that “*Mr. Andrade has established a connection to this case surrounding Mr. Abramoff’s involvement with Ms. Butina and Messieurs Levin and*



*Erickson, and limiting the production to references to Mr. Andrade and AML Bitcoin is too narrow. Mr. Andrade gives examples (summarized at the beginning of the Analysis) about how a broader range of information is material. It is not just about Mr. Abramoff or Mr. Andrade and AML Bitcoin. It is about the larger context of the business model for cryptocurrency, whether Mr. Abramoff may have been working against Mr. Andrade, and how that affects Mr. Andrade's responsibility and scienter."* (Discovery Order (Apr. 7, 2023), D.C. ECF #165 at 12:16–22.) Andrade's case agents were also involved in the Butina and Erickson investigation (D.C. Dkt. 777, Exhibit 777-9 at pp. 25–28 of 148). See also D.C. Dkt. 120-1, Dent's November 23, 2022, ISO Motion to Compel Discovery at ¶¶ 28–34, attached hereto as **Exhibit F**.

6. Mr. Erickson whom Magistrate Judge Laura Beeler deemed relevant to this case, received a Target Letter from the U.S. government for acting as a foreign agent. *"And during an FBI raid of Erickson's South Dakota home, investigators discovered a handwritten note suggesting Erickson may have been aware of a possible job offer from Russian intelligence services: 'How to respond to FSB offer of employment?'"*  
Link: <https://abcnews.go.com/Politics/maria-butina-accused-russian-agent-reaches-plea-deal/story?id=59719083>
7. According to The Daily Beast, investigators informed Paul Erickson that he was under consideration for prosecution under 18 U.S.C. § 951. As the article states: "The Daily Beast reviewed a 'target letter' that federal investigators sent Erickson's lawyer, which said they are considering bringing charges against him under Section 951 of the U.S. code—the law barring people from **secretly acting as agents of foreign governments**." Source: <https://www.thedailybeast.com/feds-target-butinas-gop-boyfriend-as-foreign-agent>
8. During a 2018 FBI interview of Jack Abramoff, he stated that Erickson had access to the United States White House and was part of the Presidential Transition Team. (D.C. Dkt. 777-9 at p. 86-88 of 148).
9. Notably convicted Russian agent Maria Butina who is also cross referenced with this case had a FISA application, and in April and July 2018, her residence was searched by Andrade's case agents and they seized materials containing information relevant to the defendant's digital currency and government informant Jack Abramoff. This strongly suggests that FISA-related materials are part of the withheld evidence in this case. (See D.C. Dkt. 777-9).
10. Evidence shows that James Kahrs (Pangea) who worked for Abramoff, helped market AML Bitcoin without Andrade's knowledge, and participated in international money laundering. Communications show Kahrs referencing his CIA employment and Erickson

Charles Johnson<sup>7</sup> was also reporting CIA information to Abramoff while discussing Andrade's currency.(See **Exhibit-G**).

11. On April 25, 2017, Taras Kuzio reported that Dmytro Firtash (who is cross-referenced with Andrade's case) hired Jack Abramoff to "thwart U.S. requests for his extradition and to promote his newly created Agency for the Modernization of Ukraine," and further noted that Firtash "is wanted by the U.S. on corruption charges and by Spain for money laundering with Russian organized crime." See Taras Kuzio, **Both U.S. parties deal with pro-Russian Ukrainians – media**, UNIAN (Apr. 25, 2017), <https://www.unian.info/politics/1892831-both-us-parties-deal-with-pro-russian-ukrainians-media.html>. Evidence on the district-court record also confirms Abramoff's and Richard Naimer's work with Denis Gorbunenko. (See D.C. Dkt. 777, Exhibit 777-15 at 16 of 204.)
12. An FBI 302 from Abramoff associate Richard Naimer who also conducted marketing for Aml Bitcoin and was involved in international money laundering, reported that Ben Dunn, who attempted to seize control of Andrade's technology, was in fact a CIA agent . See D.C. Dkt. 777 at Exhibits. 777-8; 777-15 at p.28-30 of 204; and 9<sup>th</sup> Cir. Dkt. 21-2 at p.18 of 24.

The attached sworn declaration from Mr. Andrade's former counsel—who has since retired from the practice of law—contains more than sixteen pages of detailed information regarding Mr. Abramoff's improper use of Mr. Andrade's digital currency. See 9th Cir. Dkt. 23-2 (Oct. 3, 2024, Declaration in Support of the Release of the CIPA Evidence), attached here as **Exhibit-B**. The record further confirms that Abramoff began targeting Andrade's company to facilitate international money laundering as early as 2015. See D.C. Dkt. 777 at Exhibit 777-15 at p.26 of 204.

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<sup>7</sup> Charles C. Johnson, a Jack Abramoff proxy, was found liable in a civil racketeering case in the Northern District of Texas (Point Bridge Capital, LLC v. Johnson, 4:24-cv-00988-P). Johnson and his partner stated that they were U.S. intelligence agents while engaging in a "fraud and extortion scheme," and "if their demands were not met, they would threaten to use their government connections to sabotage" them. In July 2025, a jury awarded \$40 million in damages, potentially exceeding \$71 million with trebling. The government has not intervened, likely to avoid acknowledging Johnson's claims about his government status. The plaintiff's technology in that case is similar to what was stolen from Andrade by Abramoff and his associates. However, the government has neither disclosed any of Abramoff's misconduct relating to Johnson nor provided Andrade with details of Johnson's misdeeds as they pertain to AML Bitcoin.

During this same period, Abramoff was involved in a pro-Russian, anti-Ukraine initiative involving a U.S. lobbying operation designed to advance Russian interests domestically, coordinated through his proxy Jason Hickox, the nominal owner of Eye2Eye Strategies. See D.C. Dkt. 777-15 at p.5–16 of 204 and p.25–27. At Abramoff’s sentencing, AUSA Christiaan Highsmith told the Court that Abramoff “hasn’t been in trouble for nearly 19 years” and urged a probationary sentence of three years. This portrayal ignored the fact that Highsmith was well aware that Abramoff had been using funds from Eye2Eye Strategies to pay restitution for a prior conviction, and that a separate informant had reported Abramoff engaged in violent and illegal activity as recently as 2020, while also overlooking his ongoing international money-laundering activities. See Dkt. 27-3 at 11 and 14 of 38. These facts raise a troubling question: why is the government shielding him despite clear evidence of ongoing illegal activity?

Counsel urges the court to remain vigilant in preventing the government from conflating the terms “Cooperator” and “Informant,” as they are, in fact, synonymous, should the government object to this motion. The use of the term “Cooperator” appears to be a deliberate attempt to mislead, suggesting that a "Cooperator" does not have an informant file or that such a file does not contain relevant materials. See 9th Cir. Dkt. 23-2 (Oct. 3, 2024, Declaration in Support of the Release of the CIPA Evidence at ¶ 24), attached here as Exhibit B. Given the highly atypical nature of this case, it is reasonable to anticipate that the government may have misused the national security provisions of the Classified Information Procedures Act (CIPA) to conceal misconduct—conduct for which Congress did not intend the Act to be applied. Therefore, specialized counsel is necessary to properly present such arguments.

## V. RELIEF REQUESTED

That the Court issue an order authorizing the Appellant to release some of his joint stock associated with his 2015–2016 patent assets and to engage in a public fundraiser in order to acquire counsel with expertise in national security, counterintelligence, classified information, FISA, and government informants, and to meet essential family-support and living expenses throughout this appeal. That ten percent of any funds obtained be placed in escrow or deposited with the Court in connection with the forfeiture money judgment entered on October 14, 2025 (D.C. Dkt. 789), pending resolution of the appeal or a motion under 28 U.S.C. § 2255 since the Appellant has raised substantial and fairly debatable questions of law, the resolution of which is likely to materially alter the outcome of the case.<sup>8</sup> (See Fn-2). That in conjunction with the Court’s November 17, 2025 order (Dkt. 28), that Counsel updates the Court regarding Andrade’s finances while disclosing to the Court the amounts received, if any. That the government be

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<sup>8</sup> Former Defense counsel Dent submitted a declaration regarding FBI Agent Johnathan Buma and U.S. Department of Treasury Investigator Natalie Mayflower Edwards and how the government suppression exculpatory and impeachment evidence. Dent’s declaration stated “*Buma would testify that one of the ways the FBI suppressed information about Abramoff was by instructing agents not to include damaging information – regardless of its relevance – about Abramoff in their FBI 302 reports,*” and “*...that he and the other agents present for the meeting with the CHS in February 2020 were ordered to edit the 302 Report to remove some of the information about Abramoff as it relates to Mr. Andrade’s case, and that other 302 Reports authored by Buma in connection with Mr. Andrade’s case were not produced in discovery at all.*” (D.C. Dkt. 498-3 at ¶5 and ¶7 and Dkt. 548-1 at ¶4 and ¶5). Defense counsel’s declaration further stated that the second “*witness would also testify about the government’s suppression of evidence relating to information about Landfair Capital Consulting, LLC, the company that was owned by Abramoff’s college-aged son and was used by Abramoff to engage in illegal lobbying and money laundering activities during the relevant time period.*” See (D.C. Dkt. 498-3 at ¶8). On February 24, 2025, Abramoff testified at Andrade’s trial, in the presence of his alleged handler Agent Rohan “Roahn” Wynar, that he was not an informant. (D.C. Trial Tr. 1788:18–19). Yet after trial, Andrade’s attorney obtained evidence to the contrary. In her declaration, she stated: “*An attorney for former FBI agent Jonathan Buma informed me that his client could confirm that Jack Abramoff has been a government informant... Mr. Buma’s testimony would undermine Jack Abramoff’s trial testimony that he was not an informant.*” (D.C. Dkt. 657-1 at ¶9). The suppressed informant file may have provided critical impeachment evidence, including whether Abramoff’s laundering activities—such as the U.S. PR effort through Angola and the \$2.3 million laundered with Nick Muzin and Joey Allaham in 2017 using AML Bitcoin—were authorized, facilitated, or condoned by the government. See D.C. Dkt. 777 at 22:8-17. Surely, Abramoff’s informant file included both his authorized and unauthorized illegal activities, including impeachment reporting on the government trial witnesses who were engaged in international money laundering alongside Abramoff. See **Exhibit H** (D.C. Dkt. 498-3 at ¶¶ 5, 7; Dkt. 548-1 at ¶¶ 4, 5; and D.C. ECF 657-1 at ¶ 9).

given seven (7) days to object to this motion, and if an objection is filed, that counsel be permitted to respond.

This authorization is essential to ensure both financial stability and specialized representation, thereby preserving the Appellant's ability to pursue a full and fair appeal, or, if necessary, a meaningful § 2255 motion in place of a direct appeal.

Dated: November 30, 2025

Respectfully submitted,

/s/ John M. Pierce  
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Attorney for Appellant Rowland Marcus Andrade

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

ROWLAND MARCUS ANDRADE,

Defendant-Appellant.

Case Nos. 25-5095; 25-6056; 25-6507

D.C. No. 3:20-cr-00249-RS-1

Northern District of California,  
San Francisco

**DEFENDANT’S MOTION TO USE  
STOCK ASSETS AND CONDUCT  
PUBLIC FUNDRAISER FOR  
SPECIALIZED COUNSEL AND  
FAMILY SUPPORT**

---

**EXHIBIT -A**

**LEGAL OPINION ON RELEASE OF JOINT-STOCK ASSETS**

RICHARD [REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
ATTORNEYS AT LAW  
[REDACTED]  
NEW YORK, NEW YORK [REDACTED]

TELEPHONE  
[REDACTED]

FACSIMILE  
[REDACTED]

\* ADMITTED IN NY, FLA., AND D.C.

August 6, 2025

Via E-mail: [REDACTED]

Rowland Marcus Andrade  
9414 Plaza Point Drive  
Missouri City, Texas 77459

Re: Retainer Agreement

Dear Mr. Andrade:

You asked us whether you are presently bound by the conditions of supervised release that were imposed as part of your criminal judgment. You are not presently bound by those terms because you are not presently on supervised release. As per the Judgment dated 7/31/2025, your term of supervised release begins "upon release from imprisonment." Once released from custody, those terms will become fully effective and you will need to entirely comply with them unless modified by Court Order.

Very truly yours,

*Richard [REDACTED]*

Richard [REDACTED]

### **SPECIAL CONDITIONS OF SUPERVISION**

1. You must have no contact with the investor victims, unless otherwise directed by the probation officer.
2. You must not maintain a position of fiduciary capacity without the prior permission of the probation officer.
3. You must not open any new lines of credit and/or incur new debt without the prior permission of the probation officer.
4. You must provide the probation officer with access to any financial information, including tax returns, and must authorize the probation officer to conduct credit checks and obtain copies of income tax returns.
5. You must participate in an outpatient mental health treatment program, as directed by the probation officer. Any fees associated with this program are waived.
6. You must submit your person, residence, office, vehicle, or any property under your control, including any computers, cell phones, and other electronic devices, to a search. Such a search must be conducted by a United States Probation Officer at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to such a search may be grounds for revocation. You must warn any residents that the premises may be subject to searches.



UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

ROWLAND MARCUS ANDRADE,

Defendant-Appellant.

Case Nos. 25-5095; 25-6056; 25-6507

D.C. No. 3:20-cr-00249-RS-1

Northern District of California,  
San Francisco

**DEFENDANT’S MOTION TO USE  
STOCK ASSETS AND CONDUCT  
PUBLIC FUNDRAISER FOR  
SPECIALIZED COUNSEL AND  
FAMILY SUPPORT**

---

**EXHIBIT -B**

**DECLARATION OF KERRIE C. DENT IN SUPPORT OF  
DEFENDANT MARCUS ANDRADE’S CORRECTED SECTION  
FOUR CIPA SUBMISSION FILED ON OCT. 3<sup>RD</sup>, 2024**

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19 Attorneys for Defendant  
20 ROWLAND MARCUS ANDRADE

21  
22 **UNITED STATES DISTRICT COURT**  
23 **NORTHERN DISTRICT OF CALIFORNIA**  
24 **SAN FRANCISCO DIVISION**

25 UNITED STATES OF AMERICA,  
26  
27 Plaintiff,  
28  
29 v.  
30  
31 ROWLAND MARCUS ANDRADE,  
32  
33 Defendant.

Case No. 3:2-cr-00249-RS

**DECLARATION OF KERRIE C. DENT  
IN SUPPORT OF DEFENDANT MARCUS  
ANDRADE'S CORRECTED SECTION  
FOUR CIPA SUBMISSION**

Judge: Hon. Richard Seeborg, Chief Judge

1 Kerrie C. Dent, counsel for Defendant Marcus Andrade, states as follows:

2 1. I am one of the lawyers representing Defendant Marcus Andrade in the above-  
3 captioned matter. I have personal knowledge of the discovery disputes and related  
4 correspondence between the government and defense counsel and, if called as a witness in this  
5 matter, could competently testify to the matters stated in this Declaration.

6 2. I handle most of the discovery communications and filings for Mr. Andrade's  
7 case. Throughout the discovery process, Judge Beeler repeatedly has ruled that requested  
8 discovery was required by Rule 16 (and potentially *Brady* and *Giglio*) and ordered the  
9 government to make productions. *See, e.g.*, Order dated April 7, 2023, Dkt #165 (ordering  
10 production of all 5 categories of materials identified as priority items from November 28, 2022  
11 motion to compel); Order dated March 17, 2024, Dkt. # 292 (ordering production of 10 of the 11  
12 categories of materials requested from January 25, 2024 motion to compel); Order dated July 13,  
13 2023, Dkt. #198 (ordering the government to produce the Jack Abramoff's phone); Order dated  
14 May 10, 2024 Dkt. #309 (ordering the government to provide Mr. Andrade access to his Trezor  
15 wallets).

16 3. The government just produced the phone and iPad of Alexander Levin, one of  
17 Abramoff's partners in international wrongdoing. We requested Levin's devices in July 2022,  
18 Judge Beeler ruled on April 7, 2023 that the devices were material to Mr. Andrade's defense, and  
19 on September 25, 2024 – after 25 briefs were filed by the parties, numerous hearings were held,  
20 and several orders were issued – the government finally handed over the Levin devices last  
21 week. Other discovery, including about Abramoff and his work for the government -- remains  
22 incomplete. And, as Mr. Andrade's counsel, we acknowledge the challenges facing the Court,  
23 given that what is described below was not immediately apparent, took a long time to ferret out,  
24 and required digging based on small clues that required considerable background.  
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1           4.       Co-schemer and co-conspirator Jack Abramoff persuaded Mr. Andrade in June  
2 2017 to do an Initial Coin Offering (“ICO”) for AML Bitcoin, before Mr. Andrade planned to do  
3 so, and proceeded to enthusiastically hype and market the ICO, including arranging favorable  
4 press, support from the floor of the Congress, and even a planned TV show. Exh.1 (June 19 and  
5 20, 2017). WhatsApp and email communications from the image of Abramoff’s phone suggest  
6 that, during the second half of 2017, he was also providing Bogolyubov advice on his legal  
7 troubles stemming from his co-ownership of Privat Bank with Ukrainian businessman Igor  
8 Kolomoisky, whose funds had been frozen.<sup>1</sup> Exh 2. (June 19, 2017).

10           5.       Abramoff found himself in need of a cryptocurrency ICO on May 8, 2017, when  
11 he learned from Eliezer (a.k.a. Lou) Scheiner that Gennadiy Bogolyubov needed his help.  
12 Abramoff responded: “On it,” and met Scheiner the next evening for dinner to discuss the  
13 situation in more detail. The two men arranged to meet in person with Bogolyubov in New York  
14 City on June 7 to hash out the details of how Abramoff could assist Bogolyubov with his money  
15 problems. Using the name “Steve Stephens,” Abramoff cautioned Scheiner that “we probably  
16 need to be very quiet about Genady [sic].” Exh. 3.

18           6.       The day before meeting Bogolyubov, on June 6, Abramoff identified AML  
19 Bitcoin as one possible solution to Bogolyubov’s money problems. Abramoff proposed to Mr.  
20 Andrade on June 19, 2017, that they do an ICO together. Abramoff wrote: “I was approached  
21 today by one of my friends in the NY finance world who is very bullish on [ICOs] and wants me  
22 to get involved, but I figured I should do so only with you, if you are into it.” Exh. 2. and  
23 promptly began to entice Mr. Andrade to do so, taking steps that underscore his view that Mr.  
24 Andrade was an idiot, a lamebrain and a sucker. Exh. 4. Among other things, Abramoff put  
25

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27 <sup>1</sup> See Exh. 1 (May 22, 2017).

1 together a reality TV show about AML Bitcoin, which he used as a basis to have Mr. Andrade  
2 travel to Beverly Hills and meet with celebrities; he also told Mr. Andrade that Senators were  
3 introducing a bill that “calls for more oversight of digital currency business activity” – legislation  
4 that would have been a boon to the AML and KYC-compliant digital currency that Mr. Andrade  
5 developed. Exh. 1. Using these events as an explanation, Abramoff insisted that “we need to  
6 move our ICO along as quickly as we can” and “we have to get moving.” On July 13, 2017,  
7 Abramoff added that he wrote a statement advocating for tighter rules on digital currencies that  
8 Congressman Dana Rohrabacher (a long-time friend of Abramoff) would read on the House  
9 floor; Mr. Andrade responded that Abramoff was “a genius” and that the Statement was  
10 “perfect.” Throughout this hectic time, Abramoff embraced Andrade with statements such as  
11 “we’re going to change the world my dear friend,” “I found a great partner!,” and repeated  
12 exclamations of “so exciting!!!” Andrade responded: “I look up to you Jack. Your kids are lucky  
13 to have you as a father.” Abramoff responded: “The feeling is very very mutual!” Exh. 1 (July  
14 24, 2017).

15  
16  
17 7. Mr. Andrade shared with his friend and associate Terrence Poon his excitement  
18 about the ICO Abramoff encouraged him to do and all of the hype around it, stating that “[w]e  
19 are getting a letter [of] support from President of Angola next week.” A few days later, on  
20 August 9, Andrade reported that “the [TV] show will happen,” that “congress is on our side,”  
21 that “we will sell out the ICO,” and that “Angola which is in Africa, the president there will  
22 endorse AML Bitcoin.” Poon responded, “Brother, U have found a great guy, Jack ... How did u  
23 find him? ... recently I have tried to learn more about Jack. After reading more, I found he is  
24 more amazing.” Mr. Andrade summed up for Poon that Abramoff’s marketing strategy consists  
25 of “reality shows,” “Congress,” and “various presidents [of foreign countries] issuing [] public  
26 letters of support.” Exh. 5. (Andrade-Poon, August 4 and 9, 2017).

1           8.       Unbeknownst to Mr. Andrade, Abramoff explained to others what his real agenda  
2 was in joining forces with Mr. Andrade and pushing to do an accelerated ICO: facilitating  
3 money laundering through Angola. In an October 11, 2017 email to long-time friend Roger  
4 Engone, Abramoff sketched out a deal, the complete terms of which are not explained, but  
5 which began: “We will use digital currencies (bitcoin) to get this done. In particular, we’ll use  
6 AML Bitcoin (AML), which is the only digital currency that is designed to be accepted by  
7 governments.” Exh. 6. (October 11, 2017) He then discussed the procedure, which would  
8 include Engone getting at least two Angolan participants who designate an Angolan bank (where  
9 they have deposits) that they will use to “participate in the transaction.” *Id.* As directed by  
10 Abramoff, the designated banks must be able to transfer South African Rand to a U.S. account;  
11 each participant must sign a contract to purchase AML Bitcoin and will receive AML Bitcoin  
12 wallets; and several complicated transactions will ensue that involve transferring millions of  
13 dollars between the two participants, with AML selling one of the participants \$100 million of  
14 AML coins, and that purchaser selling \$100 million worth of AML to the second participant and  
15 then depositing \$100 million in a Dubai bank account, minus the 20% of the funds that will go to  
16 Engone. *Id.* Abramoff stated, “This approach could enable deposits of more than US\$1B per  
17 month in each Dubai account.” *Id.* On the same day, he sent Engone an AML Bitcoin Purchase  
18 Agreement. A few days later, Abramoff told Engone to let him know as soon as it was confirmed  
19 that the Angolan bank can do South African rand transfers, then email Abramoff to his printer  
20 (not his computer), and then go to Abramoff’s house “so we can take the next steps, which will  
21 be you calling my guys while I’m in the room.” *Id.* Five days later, Engone sent Abramoff a  
22 photograph of a huge stack of Angolan money piled high in an otherwise empty room, to which  
23 Abramoff responded, “Looks like my living room! Hahahaha.” *Id.* (October 16, 2017.)  
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1           9.       Abramoff persuaded Mr. Andrade to do an ICO by hyping the opportunity,  
2 working at a frenetic pace, pretending that he and Mr. Andrade were “dear friends” and  
3 “partners,” excitedly issuing press releases, working on a Super Bowl Ad, writing a speech for a  
4 United States Congressman to read on the Floor of the House of Representatives boosting AML  
5 Bitcoin, developing a relationship with the Panama Canal, and promising a reality TV show  
6 about AML Bitcoin, starring Mr. Andrade. Exh. 1.

7  
8           10.       Abramoff tapped his close friend John Bryan to assist with putting the rejection  
9 campaign together in hopes of raising awareness of AML Bitcoin. Chet Fenster, a content and  
10 advertising expert, told the FBI that he was contacted by Abramoff and John Bryan to assist with  
11 the Super Bowl ad. Fenster said that Bryan and Abramoff misrepresented to him how much  
12 money was in the budget for an AML Bitcoin ad. Ultimately, it became clear that AML Bitcoin  
13 was not going to follow through with the ideas proposed by Fenster. Exh. 7.

14  
15           11.       On December 27 2017, Abramoff and Naimer discussed the Super Bowl and  
16 Abramoff sent Naimer an AML Bitcoin Special Purpose Agreement, which was modified from  
17 the usual AML Bitcoin purchase agreements and was used by Abramoff to launder money with  
18 money being invested in the Super Bowl ad. Naimer said to Abramoff, in reference to Mr.  
19 Andrade: “BTW, as far as he's concerned, you already raised the money for the ad...” Abramoff  
20 responded: “as far as he’s concerned, the ad already ran! And we sold \$100M in the ICO in 40  
21 seconds and. . . and. . . and. . .” Exh. 8.

22  
23           12.       Also on December 27, 2017, Abramoff (using the name Steve Stephens) wrote to  
24 his trusted friend and associate Alex Prasievi (a friend of Abramoff from the Republic of  
25 Georgia) and informed him that he had a “guy in NYC” who had a \$1 million investor group and  
26 was going to purchase 1,428,572 tokens at .70 each, sell them to the investors at .90 each and  
27 keep a commission fee for \$285,715. Exh. 9. Abramoff offered to Prasievi that he could do the  
28

1 same if he wanted to. Abramoff then sent Prasievi an AML Bitcoin Purchase Special Purchase  
2 Agreement that set forth a scheme similar to the one he had described. Abramoff sent similar  
3 contracts to his friends Eli Zicherman and Richard Naimer on the same day. Abramoff and  
4 Prasievi exchanged emails on January 2, 2018, regarding the opportunities for AML Bitcoin in  
5 the Georgia Republic. Abramoff asked Prasievi the next day, “[A]ny progress on the Super Bowl  
6 ad front?” (produced by Prasievi). Exh. 10. (January 3, 2018)

7  
8 13. Although the indictment suggests otherwise, Mr. Andrade had reason to believe  
9 that the company could afford a Super Bowl ad because on January 13, 2018, he was told by  
10 Japheth Dillman, a friend of Abramoff whom he brought into the business, that Block Bits  
11 Capital was putting in an order for \$50 million worth of AML Bitcoin. Exh. 11.

12 14. Abramoff sent the final version of the Super Bowl ad to Joey Allaham on January  
13 26, 2018, and added, “here is the agreement for the AML Bitcoin investment. Please keep me  
14 updated on your timing for the investment.” On January 30, Abramoff asked Allaham to let him  
15 know when the wire would be going out to the AML Bitcoin accounts.” After the Super Bowl  
16 ad was purportedly rejected, Abramoff paid numerous writers to publish misleading articles  
17 about why the ad was rejected. Brian Darling and Peter Ferrara both told the FBI that Abramoff  
18 provided the content for the stories they wrote. Exh 12.

19  
20 15. On January 17, 2018, Bryan sent a text message to Abramoff explaining that  
21 “[t]he written proposal will pretend we really are buying a Super Bowl ad because if anybody  
22 ever gets this in Discovery or something I don’t want to look like we planned to do this . . . is  
23 that okay?” Abramoff responded: “Probably not the best idea. Maybe you can write it up in a  
24 way that says in the even[t] NBC rejects the ad, and this is the plan . . . if you write it up the  
25 other way he may not understand and rejected out of hand.” Bryan confirmed in his FBI  
26 interview that he wrote the proposal pursuant to Abramoff’s guidance, sending another message  
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1 stating: “Don’t worry about the way I wrote The Proposal. I wrote it so that it looks like only if  
2 they reject the commercial then we do all these things but forget it is all looks fine I think I don’t  
3 care if somebody gets this who cares.” Exh. 13. Also in late 2017, Abramoff not only  
4 orchestrated the Super Bowl ad referenced in the indictment, but also used the financing of that  
5 ad to camouflage additional money laundering schemes that would support his pro-Russia PR  
6 campaign, and paid various journalists to publish false or misleading articles about the purported  
7 rejection of the Super Bowl ad.  
8

9 16. In either a modification of what Abramoff was doing with the Angola Plan, or a  
10 separate plan that also involves Angola, Abramoff also was working on an Angolan currency  
11 project, “assisting a powerful family in Angola (the client) that has a large amount of Kwanzas  
12 and wishes to convert them to a foreign currency.” Exh. 14.

13 17. In connection with that effort, Abramoff sent “Angolan Deal Notes” to Israeli  
14 lawyer Richard Naimer (a long-time friend and business associate of Abramoff), on January 8,  
15 2018. In those deal notes, Abramoff referenced a Sultan and some real estate developments that  
16 would be purchased in a way that avoids “overseas remittance” guidelines, that makes it appear  
17 to the banks that would be involved that what was happening was for “investment purposes,” and  
18 that overstates the amount that would actually be invested. Abramoff adds that “all the banks  
19 understand that the funds will be arriving in Angolan Kwanza Cash Notes.” Ex. 15.  
20

21 18. Messages between Abramoff and Natko Vlahovic (a Croatian lobbyist) reflect  
22 that Abramoff sent Vlahovic a recording entitled “Call to Arms” in which Abramoff calls for  
23 grass roots campaign across America to organize Trump voters to pressure Congress to reverse  
24 what Abramoff called the “horrific” anti-Russian trends in American politics. Abramoff  
25 Recording (3:35-4:10; 4:50-5:30; 7:45-9:10). (CTA recording) Abramoff and Vlahovic discussed  
26 topics ranging from Russia-related work, to Vlahovic getting commissions for selling AML  
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1 Bitcoin, to a statement apparently designed for an official of the Angolan government about  
2 Angola exclusively accepting AML Bitcoin. While the two were working together on lobbying  
3 campaigns, Abramoff introduced Vlahovic to AML Bitcoin and helped him acquire AML  
4 Bitcoin tokens, ultimately resulting in Vlahovic working on the drafts of what appear to be press  
5 releases for AML Bitcoin related to adoption of AML Bitcoin by the governments of Angola,  
6 Slovenia, and Estonia. Exh. 16. (Nov. 8, 2017).

7  
8 19. Discovery shows a pattern of Abramoff using Landfair Capital Consulting to hide  
9 his wrongdoing, often falsely describing the consulting he was providing as relating to  
10 cryptocurrency. The company was owned by his son Alex, who was a college student at the  
11 time, and the case agents referred to the company as “the money connection” for Abramoff’s  
12 activities, including those relating to AML Bitcoin. Recording 1D-39, interview of Abramoff  
13 during the search of his home (Sept. 13, 2018).

14  
15 20. Abramoff issued a \$750,000 invoice from Landfair Capital to Alexander Levin, a  
16 pro-Russia, Ukrainian-American businessman who retained Abramoff as a consultant to assist  
17 him with, among other things, efforts to interfere with Ukrainian politics based on a pro-Russia  
18 agenda. A 302 report produced by the government, which is a partial review of evidence from  
19 one of Abramoff’s cell phones, indicates that Levin communicated with Abramoff frequently  
20 during the timeframe relevant to this case. Through those discussions, Abramoff also introduced  
21 Levin to AML Bitcoin and discussed cryptocurrency more generally. Additionally, the 302  
22 shows that Levin’s payments to Abramoff for his consulting services were paid into the same  
23 Landfair Capital bank account Abramoff used for the Angola plan and other nefarious projects in  
24 which Abramoff engaged. Exh. 17.

25  
26 21. Abramoff used Landfair Capital to obtain \$1.5 million in “consulting fees” from  
27 Bogolyubov on August 10, 2017. Abramoff wrote to Bogolyubov’s associate Moti Korf: “I  
28

1 spoke yesterday with [Gennadiy Bogolyubov]. Our LA company will do a consultancy with  
2 your company regarding digital currencies, providing investment guidance and opportunities.  
3 The consulting fee will be \$1.5 million. . . . You will receive a W9 from the LA company -  
4 Landfair Capital Consulting, Inc., and have a business expense for the consulting effort.  
5 Landfair will provide periodic written reports as well.” A few weeks later, Abramoff also  
6 described to Bogolyubov that he would be setting up a “C4 non-profit” to use for handling  
7 certain issues. Abramoff wrote on September 1, “I can write up something generic, like  
8 “supports and advocates for issues that ensure that the United States does not support corrupt  
9 regimes and leaders throughout the world...” Exh. 18.

11 22. There are numerous additional people and places that are part of the international  
12 crime spree in which Abramoff engaged during the time period relevant to the Indictment. He  
13 was partners with his then-close friend Joey Allaham in a company called Lexington Strategies,  
14 but the two spent more time arguing than plotting in their WhatsApp chats. On November 3,  
15 2017, Abramoff told Allaham that he wanted to meet and discuss AML Bitcoin. “I just heard  
16 that the Crown Prince of Dubai (or his investment fund, not sure) is about to purchase a huge  
17 block of the coins.” Exh. 12. On January 26, 2018, Abramoff sent Allaham one of the AML  
18 Bitcoin Special Purchase Agreements that was used to raise money in connection with the Super  
19 Bowl ad. Allaham signed a purchase agreement for \$500,000 worth of AML Bitcoin tokens on  
20 February 23, 2018. *Id.*

23 23. The government’s poor assessment of relevance in this case is well illustrated by  
24 its resistance (and in some cases refusal) to produce materials relating to alleged co-schemer  
25 Abramoff. For example, the government’s response to Mr. Andrade’s request for Alexander  
26 Levin’s iPhone and iPad, which were seized by the Southern District of New York in connection  
27 with a criminal investigation of Rudy Giuliani and others in that district, demonstrates that the  
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government cannot and should not be trusted when it comes to evaluating what is relevant and helpful to Mr. Andrade's case. Although the government repeatedly has argued that it knows of no connection between Mr. Andrade's case and the case in the Southern District of New York, publicized information from unsealed search warrants relating to the SDNY's investigation that Giuliani was investigated for his removal of the U.S. Ambassador to Ukraine in 2019 – one of the *very same pro-Russia "lobbying" activities* about which Abramoff and Levin communicated in June 2018, disguising the work in an invoice as "cryptocurrency consulting." Exh. 17 at 9-10. As it turns out, the so-called "lobbying" work that Abramoff discussed with Levin was just one of many examples of how Abramoff worked behind Mr. Andrade's back and used Mr. Andrade's company and his AML Bitcoin to disguise his own international wrongdoing and to promote his pro-Russia agenda – purposes that were contrary to Mr. Andrade's intentions for his company.

24. Some of Mr. Andrade's discovery requests remain ignored. Despite that Mr. Andrade's counsel has requested materials from Abramoff's informant file at least 8 times,<sup>2</sup> the government responds each time that it has "produced all Abramoff material required by Rule 16, *Brady*, *Giglio*, and the Jencks Act, and [] will continue to look for additional material that might possibly be discoverable under those rules." Relevant and helpful documents from Abramoff's informant file may include: initial or continuing Suitability Reviews, Reports, and/or Recommendations of Abramoff; Instructions given to Abramoff; Documents relating to Abramoff's Authority to Engage in Otherwise Illegal Activity; documents relating to Abramoff's Unauthorized Illegal Activity; and Payment requests from, and approved payments

<sup>2</sup> Most recently, on September 23, 2024, defense counsel wrote: We have requested materials from Abramoff's informant file numerous times, including in our January 25, 2024 motion to compel, our February 22, 2024 reply brief, at the March 7, 2024 hearing, and in correspondence dated March 5, 2023, and March 18, March 24, April 1, and June 7, 2024.

1 to, Abramoff for his involvement in criminal activity. The responsive documents may include  
2 classified information that, in addition to providing more connections between the wrongdoing  
3 of Abramoff and others to support the theory of Mr. Andrade's defense highlighted in this CIPA  
4 filing, could also support other defenses, including affirmative defenses. *See, e.g.*, Exh. 19, Letter  
5 from K. Dent to AUSA Highsmith (Sept. 23, 2024).

6  
7 25. Delaguardia is a former Panamanian Ambassador to the United States and close  
8 friend of Abramoff. On September 15, 2017, when Carlos Delaguardia was with Andrade in  
9 Panama to discuss the possibility of the Panama Canal using AML Bitcoin, Andrade wanted to  
10 do a photo op at the Panama Canal, but Delaguardia determined it was not necessary. Reporting  
11 this to Abramoff, Delaguardia sent Abramoff a photo of Grima[ce], the grinning purple blob  
12 from McDonald Land who was an evil character, known for being stupid and for stealing  
13 milkshakes. This nickname was used repeatedly by Delaguardia to describe Mr. Andrade. Dent  
14 Decl., Exh. 4. Delaguardia, in connection with his efforts to get AML Bitcoin into Panama,  
15 created a new Panamanian company called Zentrum, and Delaguardia served as President.  
16 Abramoff tried to persuade Mr. Andrade to use the bank account of Delaguardia's new company  
17 as an escrow account to hold the money purchasers used to buy AML tokens. Mr. Andrade never  
18 accepted that offer. In addition, Abramoff appointed Delaguardia to serve as VP of Latin  
19 American affairs for Mr. Andrade's company, a role through which Delaguardia handled the  
20 AML Bitcoin communications with the Panama Canal and even authored the Panama press  
21 releases relating to AML Bitcoin. *See* Exh. 6.  
22  
23

24 26. Abramoff and his son Alex ran a company called Ghost Management. Defense  
25 counsel is still learning about the company. It appears to be part of a plan to conceal lobbying  
26 efforts. The company sent several payments to Landfair Capital Consulting, the "money  
27 connection" described above.  
28

1           27.     The government's discovery record is 1-15. On April 7, 2023, Judge Beeler  
2 granted all five of the requests before her. (Dkt. # 120). The five requests focused on  
3 Abramoff's international crime spree with others. On March 17, 2024, Judge Beeler ruled in Mr.  
4 Andrade's favor on ten of the eleven requests in his motion to compel filed on January 25, 2024.  
5 Dkt. #275. The one issue that went in favor of the government in the most recent motion to  
6 compel was that it was not required to provide its 404(b) notice yet, a ruling that did not involve  
7 relevance. The government has since realized that, as the defense suggested in its motion, the  
8 defense would need considerable time to prepare for its proposed 404(b) material, and it  
9 provided notice on September 13, 2024.  
10

11  
12           I declare under penalty of perjury that the foregoing is true and correct, and that this  
13 declaration was executed on October 3, 2024 in McLean, Virginia.  
14

15                                 /s/ Kerrie C. Dent

16                                 KERRIE C. DENT  
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14 IN THE UNITED STATES DISTRICT COURT

15 IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA

16 SAN FRANCISCO DIVISION

17 THE UNITED STATES OF AMERICA, )  
18 Plaintiff, )

19 vs. )

20 ROWLAND MARCUS ANDRADE, )  
21 Defendant. )

Case No. 3:20-cr-00249-RS-LBx

**DEFENDANT ROWLAND MARCUS**

**ANDRADE'S EX PARTE CIPA**

**SUBMISSION (corrected version)**

No. 3:20-cr-00249-RS

Judge: Hon. Richard Seeborg

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**I. Introduction**

Defendant Rowland Marcus Andrade submits this *ex parte* statement to aid in the Court’s consideration of the discoverability of the classified materials the government has asked the Court to review under section 4 of the Classified Information Procedures Act (“CIPA”). The law permits Mr. Andrade to make an *ex parte* submission to the Court on his theory of the case and its potential impact on the need for classified materials, and the government does not oppose the filing.<sup>1</sup>

Mr. Andrade does not have access to the government’s CIPA filing and cannot therefore address the reasons the government may be offering to assert that the classified information it possesses should not be produced. Nor can this submission describe all the ways in which wrongdoing by Abramoff impacted Mr. Andrade and AML Bitcoin and may support Mr. Andrade’s defense to the indictment -- such a description would be too lengthy, the defense has access to some but not all of the facts, some discovery has been belated (for example, the government just produced the iPhone and iPad of one of Abramoff’s partners in international wrongdoing),<sup>2</sup> and other discovery, including about Abramoff and his work for the government, remains incomplete. Mr. Andrade acknowledges the challenges facing the Court, given that what is described below was not immediately apparent, took a long time to ferret out, and required digging based on small clues that required considerable context that the Court is unlikely to have.

Nonetheless, this submission provides the Court with some perspective on Mr. Andrade’s defense, and on the importance to that defense of information – some of which is likely

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<sup>1</sup> See Gov’t Brief (Dkt #342 at 2:11-16) (“To address a separate concern raised by the defendant, the government has made clear that it does not oppose the defendant filing his own *ex parte* submission at this stage. A defendant may be permitted to file his own *ex parte* submission outlining his theory of the defense to aid the court in the review of any classified materials. See *United States v. Sedaghaty*, 728 F.3d, 885 906 n.10 (9th Cir. 2013)).”

<sup>2</sup> Mr. Andrade requested Levin’s devices in July 2022, Judge Beeler ruled on April 7, 2023 that the devices were material to Mr. Andrade’s defense, and – after 25 briefs were filed by the parties, numerous hearings were held, and several orders were issued – the government finally handed over the Levin devices on September 25, 2024.

classified<sup>3</sup> – about the activities of Mr. Andrade’s alleged co-schemer, Jack Abramoff, and those with whom he was working around the world, behind Mr. Andrade’s back. More specifically, this submission explains how Abramoff used Mr. Andrade’s company and his cryptocurrency to both advance and camouflage his wrongdoing, and how Abramoff’s international wrongdoing informs and contributes to Mr. Andrade’s theory of defense to several allegations in the indictment, including allegations that he misrepresented the status of the development of AML Bitcoin, and that he orchestrated a Super Bowl rejection campaign to mislead potential purchasers about AML Bitcoin.

The connection between Abramoff’s international wrongdoing and Mr. Andrade’s defense grows out of Mr. Andrade’s likely theme at trial that Abramoff – and not Mr. Andrade – had the intent to defraud, and that Abramoff – a sophisticated and twice convicted fraudster with a unique ability to continue to engage in frauds while convincing the government he has changed his ways and deserves another sweetheart plea deal – saw Mr. Andrade as an unsophisticated, naïve cryptocurrency entrepreneur who was ripe for manipulation. While Mr. Andrade saw Abramoff as a mentor and even a father figure, Abramoff and his fellow wrongdoers privately called him an idiot, a lamebrain, a putz, a sucker, and someone who was living in another world; they acted on their perception of Mr. Andrade by hijacking his business for their own purposes. To give the Court a flavor of how Abramoff’s international wrongdoing, done using Mr. Andrade’s business but behind his back, will aid Mr. Andrade’s defense, two representative examples are highlighted in this submission.

*First*, Abramoff persuaded Mr. Andrade in June 2017 to do an Initial Coin Offering (“ICO”) for AML Bitcoin, before Mr. Andrade planned to do so, and proceeded to enthusiastically hype and market the ICO, including arranging favorable press, support from the

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<sup>3</sup> As demonstrated below, some of this wrongdoing was with and/or on behalf of pro-Russian oligarchs in Ukraine, reports about which may be classified. The wrongdoing also includes money laundering through unfriendly countries, reports about which may also be classified. Needless to say, Mr. Andrade cannot anticipate all the types of classified information that might be triggered by his defenses and discovery requests.

1 floor of the Congress, and even a planned TV show. Mr. Andrade proved to be the sucker that  
2 Abramoff and his fellow wrongdoers called him; he was so drawn in by Abramoff's hype that he  
3 believed he would have access to people and to funds that would fuel the development of his  
4 technology and help his business take off. That Mr. Andrade was misled was of no moment to  
5 Abramoff, who rushed the ICO because doing so furthered his plan to use AML Bitcoin to  
6 engage in and camouflage a billion-dollar money laundering scheme in Angola. Abramoff  
7 acknowledges – in writing – the plan to launder money in Angola using AML Bitcoin, and  
8 discovery suggests that the Angolan money laundering scheme was designed to support  
9 notorious international money launderer Gennadiy Bogolyubov and Abramoff's pro-Russia  
10 agenda.

11 Additional evidence about the Angolan money laundering scheme and its purposes will  
12 assist in preparing Mr. Andrade's defense because the evidence will help the jury understand  
13 how his representations about the state of his technology, *see, e.g.*, Indictment para 9(a), were  
14 influenced by Abramoff's persuading him to do an ICO before he had planned, and persuading  
15 him that Abramoff would provide him with the resources he needed to get AML Bitcoin up and  
16 running more quickly. This evidence will help show that any representations Mr. Andrade made  
17 about the development of the technology were made in good faith, and will show the jury who  
18 the real villain was and why Abramoff was orchestrating the wrongdoing alleged in the  
19 indictment and doing so behind Mr. Andrade's back.

20 *Second*, a different part of Abramoff's strategy for using Mr. Andrade's business for his  
21 own independent wrongdoing was the creation of the Super Bowl ad campaign alleged in the  
22 indictment. Not only was this campaign another way to romance Mr. Andrade and hype his  
23 business, but for Abramoff the campaign was primarily designed to get money and launder  
24 money for his pro-Russia campaign, and to assist his closest friends with siphoning money out of  
25 Mr. Andrade's business, camouflaging some of the money exchanges through payments  
26 purportedly relating to the funds that could be used to purchase the Super Bowl advertisement.

1 All this was done without Mr. Andrade's knowledge; he believed in good faith that money would  
2 be coming to pay for the advertisement. Additional discovery about Mr. Abramoff's siphoning of  
3 funds under cover of raising money for the advertisement will help show that Abramoff had  
4 criminal intent, and will help explain why he engaged in this wrongdoing behind Mr. Andrade's  
5 back – all of which will further underscore Mr. Andrade's good faith.

6       There are many more examples known to Mr. Andrade, and likely many more of which  
7 Mr. Andrade is not aware; some other names and countries connected to international  
8 wrongdoing by Abramoff and his fellow wrongdoers that used Mr. Andrade's business are listed  
9 in the argument below. As with the money laundering (and other wrongdoing) involving Angola  
10 and the Super Bowl, additional discovery into that wrongdoing could not only help Mr. Andrade  
11 defend against other misrepresentations alleged in the indictment, but also would provide further  
12 insight into the reasons for, the timing of, and the impact on his company of, Abramoff's illegal  
13 activity – all of which would further bolster Mr. Andrade's defense. Such discovery, including  
14 additional discovery into Abramoff's relationship with the government and possible use as an  
15 informant, could add to Mr. Andrade's defense in other ways, including the identification of  
16 affirmative defenses depending upon, for example, how much of Abramoff's wrongdoing may  
17 have been authorized by the government.

18       Finally, in this submission, Mr. Andrade will provide the Court with details of a few of  
19 the more than a dozen times that Judge Beeler has rejected the government's unreasonable and  
20 narrow view of relevance, to demonstrate that the Court should not rely on the government's  
21 assessment of the relevance or helpfulness of classified information. As set forth in more detail  
22 below, Judge Beeler – who has read thousands of pages of briefs and supporting materials about  
23 this case – has repeatedly rejected the government's view that information about the international  
24 wrongdoing of Abramoff and others is not material to the preparation of the defense. *See*  
25 Federal Rule of Criminal Procedure 16(a)(1)(E)(i). Instead, Judge Beeler has held that "Mr.  
26 Andrade has established a connection to this case surrounding Mr. Abramoff's involvement"

with others, and “limiting the production to references to Mr. Andrade and AML Bitcoin is too narrow. . . . It is not just about Mr. Abramoff or Mr. Andrade and AML Bitcoin. It is about the larger context of the business model for cryptocurrency, whether Mr. Abramoff may have been working against Mr. Andrade, and how that affects Mr. Andrade’s responsibility and scienter.” Discovery Order, Dkt. #165 at 12:15-22 (Apr. 7, 2023). In evaluating the government’s claims of irrelevance, the Court should consider the fact that, despite Judge Beeler’s ruling, the government has continued to resist the notion that evidence about Abramoff and his international wrongdoing must be produced – resulting in its losing subsequent discovery motions based on this same principle.

## **II. CIPA Must Be Applied in a Manner that Protects Mr. Andrade’s Right to Discovery of Information Material to the Preparation Of His Defense**

CIPA is not just about the government’s interest in protecting classified information to protect national security. It also is about “protecting a defendant’s right to a full and meaningful presentation of his claim to innocence.” *United States v. Sedaghaty*, 728 F.3d 885, 903 (9<sup>th</sup> Cir. 2013) (quoting *United States v. Fernandez*, 913 F.2d 148, 154 (4<sup>th</sup> Cir. 1990)). Under section 4 of CIPA, a district court must determine whether the classified materials are discoverable under Rule 16 and whether the state-secrets privilege applies, and then it must determine whether the evidence is “relevant and helpful” to the defense of the accused. *Id.* at 904 (quoting *Roviaro v. United States*, 353 U.S. 53, 60 (1957)). If the information is both “relevant and helpful,” then CIPA section 4 permits the district court to determine the terms of discovery. *Id.* “CIPA does not expand or restrict established principles of discovery.” *Id.* at 903, citing S. Rep. No. 96-823 at 8, *reprinted in* 1980 U.S.C.C.A.N. at 4301–03. The *Sedaghaty* court explained that, under the *Brady* standard, “the suppression by the prosecution of evidence favorable to an accused upon request violates due process where the evidence is material either to guilt or to punishment, irrespective of the good faith or bad faith of the prosecution . . . society wins not only when the guilty are convicted but when criminal trials are fair; our system of the administration of justice

suffers when any accused is treated unfairly.” *Sedaghaty*, 728 F.3d at 899 (citing *Brady*, 373 U.S. 83, 87 (1963)).

### **III. International Wrongdoing by Abramoff and Others – and Therefore Classified Information – Is Central to Mr. Andrade’s Defense**

Discovery into Abramoff’s international wrongdoing will help fuel one of the central themes of Mr. Andrade’s defense: that while he was proceeding in good faith, Abramoff was using Mr. Andrade’s business behind his back to engage in Abramoff’s independent, pro-Russia money laundering and other frauds, and that Abramoff did so in ways that help Mr. Andrade explain or answer specific allegations in the indictment. The examples below illustrate how discovery received to date fuels the defense, but, as the descriptions below reflect, the defense does not yet have the complete story.

#### **a. International Wrongdoing By Abramoff and Others Helps Provide A Defense to Government Claims of Misrepresentations by Mr. Andrade About the Development of AML Bitcoin’s Technology**

The first example of how Abramoff’s international wrongdoing aids Mr. Andrade’s defense relates to Abramoff’s plan to launder money in Angola to benefit a Ukrainian oligarch and to support his pro-Russia public relations campaign. Abramoff found himself in need of a cryptocurrency ICO on May 8, 2017, when he learned from Eliezer (a.k.a. Lou) Scheiner that Gennadiy Bogolyubov needed his help. Abramoff responded: “On it,” and met Scheiner the next evening for dinner to discuss the situation in more detail.<sup>4</sup> Dent Decl., Exh. 3 (May 8, 2017). The two men arranged to meet in person with Bogolyubov in New York City on June 7 to hash out the details of how Abramoff could assist Bogolyubov with his money problems. Using the name “Steve Stephens,” Abramoff cautioned Scheiner that “we probably need to be very quiet

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<sup>4</sup> In discovery produced by the government, we have seen that Eliezer Scheiner is a pro-Russian who attended meetings in Grenada with Abramoff in late 2016, and whom Abramoff kept updated on his African travels in January and February 2017. Scheiner also helped to arrange a meeting between Bogolyubov and Abramoff in May 2017, almost immediately after Abramoff learned that Bogolyubov was having money issues.



about Genady [sic].” Dent Decl., Exh. 3 (June 4, 2017). The day before meeting Bogolyubov, on June 6, Abramoff identified AML Bitcoin as one possible solution to Bogolyubov’s money problems. Abramoff proposed to Mr. Andrade on June 19, 2017, that they do an ICO together,<sup>5</sup> and he promptly began to entice Mr. Andrade to do so, while simultaneously taking steps that underscore his view that Mr. Andrade was an idiot, a lamebrain and a sucker. Among other things, Abramoff put together a reality TV show about AML Bitcoin, which he used as a basis to have Mr. Andrade travel to Beverly Hills and meet with celebrities; he also told Mr. Andrade that Senators were introducing a bill that “calls for more oversight of digital currency business activity” – legislation that would have been a boon to the AML and KYC-compliant digital currency that Mr. Andrade developed.

Using these events as an explanation, Abramoff insisted that “we need to move our ICO along as quickly as we can” and “we have to get moving.” Dent Decl., Exh. 1 (June 30, 2017). On July 13, 2017, Abramoff added that he wrote a statement advocating for tighter rules on digital currencies that Congressman Dana Rohrabacher (a long-time friend of Abramoff) would read on the House Floor (Exh. 1, Jul. 24, 2017) and repeated exclamations of “so exciting!!!” (Exh. 1, Jul. 23 and 29, 2017). Andrade told Abramoff: “I look up to you Jack. Your kids are lucky to have you as a father.” Abramoff responded: “The feeling is very very mutual!” (Exh. 1, Aug. 28, 2017).

Mr. Andrade was taken in. He shared with his friend and associate Terrence Poon his excitement about the ICO Abramoff encouraged him to do and all of the hype around it, stating that “[w]e are getting a letter [of] support from President of Angola next week.” (Exh. 5, Aug. 4, 2017). A few days later, on August 9, Andrade reported that “the [TV] show will happen,” that “congress is on our side,” that “we will sell out the ICO,” and that “Angola which is in Africa, the president there will endorse AML Bitcoin.” (Exh. 5, Aug. 9, 2017). Poon responded,

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<sup>5</sup> Abramoff wrote: “I was approached today by one of my friends in the NY finance world who is very bullish on [ICOs] and wants me to get involved, but I figured I should do so only with you, if you are into it.” Dent Decl., ¶6, Exh. 3 (June 19, 2017).



“Brother, U have found a great guy, Jack ... How did u find him? ... recently I have tried to learn more about Jack. After reading more, I found he is more amazing.” Mr. Andrade summed up for Poon that Abramoff’s marketing strategy consists of “reality shows,” “Congress,” and “various presidents [of foreign countries] issuing [] public letters of support.” Dent Decl. at ¶7, Exh. 5 (Aug. 9, 2017).

Unbeknownst to Mr. Andrade, Abramoff explained to others what his real agenda was in joining forces with Mr. Andrade and pushing to do an accelerated ICO: facilitating money laundering through Angola. In an October 10, 2017 message to long-time friend Roger Engone,<sup>6</sup> Abramoff sketched out a deal, the complete terms of which are not explained, but which began: “We will use digital currencies (bitcoin) to get this done. In particular, we’ll use AML Bitcoin (AML), which is the only digital currency that is designed to be accepted by governments.” Dent Decl., Exh. 6 (Oct. 11, 2017). He then discussed the procedure, which would include Engone getting at least two Angolan participants who designate an Angolan bank (where they have deposits) that they will use to “participate in the transaction.” *Id.* As directed by Abramoff, the designated banks must be able to transfer South African Rand to a U.S. account; each participant must sign a contract to purchase AML Bitcoin and will receive AML Bitcoin wallets; and several complicated transactions will ensue that involve transferring millions of dollars between the two participants, with AML selling one of the participants \$100 million of AML coins, and that purchaser selling \$100 million worth of AML to the second participant and then depositing \$100 million in a Dubai bank account, minus the 20% of the funds that will go to Engone. Dent Decl. at ¶ 8, Exh. 6 (Oct. 11, 2017). Abramoff stated, “This approach could enable deposits of more than US\$1B per month in each Dubai account.” *Id.*

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<sup>6</sup> Engone is a former employee at the Gabonese Embassy in Washington, D.C. and appears to have known Abramoff since the early 2000s, when Abramoff was investigated and sent to prison for three felony counts conspiracy, fraud, and tax evasion—involving charges stemming principally from his lobbying activities on behalf of Native American tribes. Jack thanks Roger Engone in the acknowledgments of his book, “Capitol Punishment.”

1 A few days later, Abramoff told Engone to let him know as soon as it was confirmed that  
2 the Angolan bank can do South African rand transfers, then email Abramoff to his printer (not  
3 his computer), and then go to Abramoff's house "so we can take the next steps, which will be  
4 you calling my guys while I'm in the room." Dent Decl. at ¶ 8, Exh. 6 (October 11, 2017). Five  
5 days later, Engone sent Abramoff a photograph of a huge stack of Angolan money piled high in  
6 an otherwise empty room, to which Abramoff responded, "Looks like my living room!  
7 Hahahaha." Dent Decl., Exh. 6 (Oct. 16, 2017).

8 This use of Mr. Andrade's business and cryptocurrency to aid Abramoff's international,  
9 pro-Russia money laundering gives the Court the flavor of how discovery of classified  
10 information could further fuel Mr. Andrade's defense. For example, part of the defense to the  
11 government's accusation that Mr. Andrade was intending to defraud when he made  
12 representations about the state of his technology, *see, e.g.*, Indictment para 9(a), will be that  
13 Abramoff persuaded Mr. Andrade to do an ICO for his cryptocurrency before Mr. Andrade  
14 planned, and hyped all the resources and connections he could bring to the company – helpful  
15 Congressmen, relationships with the Panama Canal, a television show, and connections to a lot  
16 of people with a lot of skill and money to buy AML Bitcoin. Proving to be the sucker Abramoff  
17 and his fellow wrongdoers believed him to be, Mr. Andrade brought into the hype and believed  
18 that, with Abramoff's support, the development of his business and his technology would  
19 proceed like gangbusters. The defense will use Abramoff's wrongdoing, and the romancing of  
20 Mr. Andrade it required to allow Abramoff to use AML Bitcoin to advance Abramoff's own  
21 wrongdoing, to show Mr. Andrade's good faith, and to show that Abramoff was responsible for  
22 the crimes charged in the indictment, which were collateral damage to Abramoff's international  
23 wrongdoing. The frenetic pace at which Mr. Andrade worked to meet the schedule Abramoff set  
24 up for his own purposes also provides important context in assessing his good faith.

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**b. International Wrongdoing By Abramoff and Others Helps Provide  
A Defense to Government Claims that Mr. Andrade Knowing Participated  
in a “Rejection Campaign” for a Super Bowl Advertisement**

The scheme and artifice to defraud detailed in the Indictment alleges that Mr. Andrade “orchestrated and approved a false ‘rejection campaign’ regarding a purported advertisement that ANDRADE and his associates stated was going to be aired during the 2018 Super Bowl. . . . In fact, the NAC Foundation did not have the funds to purchase the advertising time and the advertisement was never reviewed or rejected by the network or the NFL.” Indictment ¶9(b). The Super Bowl rejection campaign not only was orchestrated *by Abramoff* rather than by Mr. Andrade, but also was orchestrated by Abramoff as part of an effort to siphon money, using AML Bitcoin, behind Mr. Andrade’s back.

Abramoff tapped his close friend John Bryan to assist with putting the rejection campaign together in hopes of raising awareness of AML Bitcoin. Chet Fenster, a content and advertising expert, told the FBI that he was contacted by Abramoff and John Bryan to assist with the Super Bowl ad (FBI-302-003247). Fenster said that Bryan and Abramoff misrepresented to him how much money was in the budget for an AML Bitcoin ad. Ultimately, it became clear that AML Bitcoin was not going to follow through with the ideas proposed by Fenster.

On December 27 2017, Abramoff and Richard Naimer (Israeli lawyer and longtime friend and business partner of Abramoff) discussed the Super Bowl, and Abramoff sent Naimer an AML Bitcoin Special Purpose Agreement. Dent Decl., Exh. 8 (Dec. 27, 2017). This agreement, which was modified from the usual AML Bitcoin purchase agreements and provided far greater compensation to the recipient of the funds, was used by Abramoff, purportedly to bring in money for the Super Bowl ad, but in reality to siphon off some money away from AML Bitcoin and direct it to some of his friends and fellow wrongdoers. All of this was done behind Mr. Andrade’s back, at his expense. Once again, Mr. Andrade proved to be a sucker, and believed that money for the advertisement would be coming in. Naimer said to Abramoff, in reference to Mr. Andrade: “BTW, as far as he's concerned, you already raised the money for the

ad...” Abramoff responded: “as far as he’s concerned, the ad already ran! And we sold \$100M in the ICO in 40 seconds and. . . and. . . and. . .”). Dent Decl., Exh. 8 (Dec. 27, 2017).

Abramoff sent a similar contract to his friend Eli Zicherman<sup>7</sup> on the same day. Abramoff (using the name Steve Stephens) also wrote to his trusted friend and associate Alex Prasievi (a friend of Abramoff from the Republic of Georgia) and offered him the same deal. Abramoff informed him that he had a “guy in NYC” who had a \$1 million investor group and was going to purchase 1,428,572 tokens at .70 each, sell them to the investors at .90 each and keep a commission fee for \$285,715. Dent Decl. at ¶ 12. Abramoff offered to Prasievi that he could do the same if he wanted to. Abramoff then sent Prasievi an AML Bitcoin Special Purchase Agreement that set forth a scheme similar to the one he had described. Dent Decl., Exh. 9 (Dec. 27, 2017). Abramoff and Prasievi exchanged emails on January 2, 2018, regarding the opportunities for AML Bitcoin in the Georgia Republic. Showing that this siphoning plan was connected to the Super Bowl ad, Abramoff asked Prasievi the next day, “[A]ny progress on the Super Bowl ad front?” (produced by Prasievi). Dent Decl., Exh. 10 (Jan. 1, 2017).

Although the indictment suggests otherwise, Mr. Andrade had reason to believe that the company could afford a Super Bowl ad. Among other things, this belief was based on the fact that on January 14, 2018, he was told by Japheth Dillman, a friend of Abramoff whom Abramoff brought into Mr. Andrade’s business, that Dillman’s company Block Bits Capital was putting in an order for \$50 million worth of AML Bitcoin. Dent Decl. at ¶13. The money never came. Whether it never came because, Abramoff was using AML Bitcoin to launder it or diverting the funds to himself or to his network of shell companies that his fellow wrongdoers created for his benefit, or because Dillman was lying, perhaps at Abramoff’s direction, is unknown to the defense.

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<sup>7</sup> Defense counsel understands that Eli Zicherman was introduced to Abramoff by the prison rabbi when Abramoff was in imprisoned almost 20 years ago. Zicherman owns SEPO Holdings, one of the many “front” companies that Abramoff controls.

Additional discovery about Abramoff’s international money laundering and siphoning of funds in connection with the Super Bowl would aid Mr. Andrade’s defense because it would provide more information about how Abramoff – not Andrade – orchestrated the Super Bowl ad and how Abramoff and a handful of his friends profited from it. While Mr. Andrade believed in good faith that money would be coming to pay for the advertisement, Abramoff had different ideas about the use of those funds. Learning more about what Abramoff and his fellow wrongdoers were doing will more fully establish how and why he used the prospect of a Super Bowl ad to further his own wrongdoing, at the expense of Mr. Andrade’s business. That Abramoff engaged in this wrongdoing behind Mr. Andrade’s back will show both Abramoff’s responsibility for the wrongdoing charged in the indictment, and Mr. Andrade’s good faith.

**c. Numerous Other Potential Examples Underscore the Need For Additional Discovery About Abramoff’s International Wrongdoing, Abramoff’s Relationship with the Government, and the Wrongdoing Of Those Working with Abramoff**

The complete picture of what Abramoff was doing behind Mr. Andrade’s back with AML Bitcoin is clouded by the cryptic nature of the communications, the use of aliases, and the number of deleted messages on the WhatsApp threads.<sup>8</sup> Books have been written, and movies made, about Abramoff’s life of prolific crime, and his subsequent cooperation with the government. Below are a handful of examples of the activities in which Abramoff was engaged (and people who joined him) during the general time period covered by the indictment that we expect, with further discovery, could be connected with AML Bitcoin in ways similar to the two examples identified above:

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<sup>8</sup> That whatever was happening between Abramoff and his associates at any given time was likely not legal is often reflected in admonitions to delete messages or to jump on a phone call. For example, in September 2017, Naimer told Abramoff that all communications should be through WhatsApp so the history can be erased and “lost in cyberspace.” Abramoff responded that he sets his WhatsApp application so that messages do not archive. Similarly, John Bryan, on January 17, 2018, sent a text message to Abramoff explaining that “[t]he written proposal will pretend we really are buying a Super Bowl ad because if anybody ever gets this in Discovery or something I don’t want to look like we planned to do this . . . is that okay?”

- **Natko Vlahovic**: Messages between Abramoff and Natko Vlahovic (a Croatian, pro-Russian lobbyist) reflect that Abramoff sent Vlahovic a recording entitled “Call to Arms”<sup>9</sup> in which Abramoff calls for a grass roots campaign across America to organize Trump voters to pressure Congress to reverse what Abramoff called the “horrific” anti-Russian trends in American politics. Abramoff Recording (3:35-4:10; 4:50-5:30; 7:45-9:10). The Call to Arms recording calls for: “pressure on Congress” to support Trump’s position on Russia (6:50); production of “media that is more pro-Russia and pro-Putin” (6:54); good documentaries that “portray the good work Putin has done for Russia” (7:07). Abramoff calls for this movement to happen “as soon as possible,” “Through social media,” “through approaches in the churches” (8:15 ). And *Abramoff states that the effort will require \$20 million per year for five years, and therefore will be best funded by five or six “successful Russians who are supporters of Putin.”* (9:00-9:45) (emphasis added).

Abramoff and Vlahovic discussed topics ranging from Russia-related work, to Vlahovic getting commissions for selling AML Bitcoin, to a statement apparently designed for an official of the Angolan government about Angola exclusively accepting AML Bitcoin. While the two were working together on lobbying campaigns, Abramoff introduced Vlahovic to AML Bitcoin and helped him acquire AML Bitcoin tokens, ultimately resulting in Vlahovic working on the drafts of what appear to be press releases for AML Bitcoin related to adoption of AML Bitcoin by the governments of Angola, Slovenia, and Estonia. Dent Decl. at ¶18, (Nov. 8, 2017) (WhatsApp exchange between Abramoff and Vlahovic)

- **Landfair Capital Consulting**: Discovery shows a pattern of Abramoff using Landfair Capital Consulting to hide his wrongdoing, often describing the consulting he was providing as relating to cryptocurrency. Whether this description is true or false can be hard to determine. Landfair was owned by his son Alex, who was a college student at the time, and the case agents referred to the company as “the money connection” for Abramoff’s activities, including those relating to AML Bitcoin.<sup>10</sup>
  - **Alexander Levin**: Abramoff issued a \$750,000 invoice from Landfair Capital to Alexander Levin, a pro-Russia, Ukrainian-American businessman who retained Abramoff as a consultant to assist him with, among other things, efforts to interfere with Ukrainian politics based on a pro-Russia agenda. A 302 report produced by the government, which is a

<sup>9</sup> If the Court would like a copy of Abramoff’s Call to Arms recording, which is 10 minutes long, defense counsel will provide it to the Court on a thumb drive.

<sup>10</sup> Recording 1D-39, interview of Abramoff during the FBI’s search of his home (Sept. 13, 2018). If the Court would like a copy of Abramoff’s Call to Arms recording, which is 10 minutes long, defense counsel will provide it to the Court on a thumb drive.



partial review of evidence from one of Abramoff's cell phones, indicates that Levin communicated with Abramoff frequently during the timeframe relevant to this case. Through those discussions, Abramoff also introduced Levin to AML Bitcoin and discussed cryptocurrency more generally. Additionally, the 302 shows that Levin's payments to Abramoff for his consulting services were paid into the same Landfair Capital bank account Abramoff used for the Angola plan and other likely wrongdoing in which Abramoff engaged. Dent Decl., ¶20, Exh. 17.

- **Gennadiy Bogolyubov**: Abramoff used Landfair Capital to obtain \$1.5 million in "consulting fees" from Bogolyubov on August 10, 2017. Abramoff wrote to Bogolyubov's associate Moti Korf: "I spoke yesterday with [Gennadiy]. Our LA company will do a consultancy with your company regarding digital currencies, providing investment guidance and opportunities. The consulting fee will be \$1.5 million. . . . You will receive a W9 from the LA company - Landfair Capital Consulting, Inc., and have a business expense for the consulting effort. Landfair will provide periodic written reports as well." Dent Decl., ¶21. A few weeks later, Abramoff also described to Bogolyubov that he would be setting up a "C4 non-profit" to use for handling certain issues. Abramoff wrote on September 1, "I can write up something generic, like "supports and advocates for issues that ensure that the United States does not support corrupt regimes and leaders throughout the world..."<sup>11</sup> His projects related to Alexander Levin, Ihor Kolomoisky, and the U.S. public relations effort that also involved cutting off government funding for Ukraine, influencing the Presidential Election, and setting up President Joe Biden for criminal activity.

- **Jack Abramoff**: Abramoff is the alleged co-schemer and co-conspirator in Mr. Andrade's case. The government has resisted answering defense counsel's questions about whether he also worked as an informant, and whether there is a file containing the government's instructions to Abramoff, which could trigger certain affirmative or other defenses. *See* Dent Decl., ¶24, Exh. 19 (Letter from K. Dent to government summarizing the numerous times that material from Abramoff's informant file has been requested). The government also resisted producing the phone of this twice convicted fraudster, first producing the phone without Abramoff's communications with Levin, Kolomoisky, and others, then changing its mind after promising to produce the entire phone, ultimately producing the phone only after Mr. Andrade filed and won a motion. *See* Andrade's Motion to Compel Production of Abramoff Phone, Dkt. #192 (June 23, 2023), granted on July 13, 2023.

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<sup>11</sup> Discovery in this case indicates that the use of non-profits also is a trademark of Abramoff's criminal activity.

- 1       ▪ **African Funds Deal:** In either a modification of what Abramoff was doing with  
2       the Angola Plan, or a separate plan relating to Angola, Abramoff also was  
3       working on an Angolan currency project that involved “assisting a powerful  
4       family in Angola (the client) that has a large amount of Kwanzas and wishes to  
5       convert them to a foreign currency.” Dent Decl., ¶16, Exh. 8 (Oct. 19, 2017). In  
6       connection with that effort, Abramoff sent “Angolan Deal Notes” to Naimer on  
7       January 8, 2018. Dent Decl., Exh. 8. In those deal notes, Abramoff referenced a  
8       Sultan and some real estate developments that would be purchased in a way that  
9       avoids “overseas remittance” guidelines, that makes it appear to the banks that  
10      would be involved that what was happening was for “investment purposes,” and  
11      that overstates the amount that would actually be invested. Abramoff adds that  
12      “all the banks understand that the funds will be arriving in Angolan Kwanza Cash  
13      Notes.” Exh. 8. Mr. Weng Kee Leong, from Malaysia, confirmed with all four  
14      banks involved that they were ready to move to the next step, which would be  
15      ascertaining the exchange rate, but to move forward they would need some sort of  
16      Memo of Understanding, and that he would like to have this all completed no  
17      later than February 1, 2018. Exh. 8.
- 18      ▪ **Carlos Delaguardia:** Delaguardia is a former Panamanian Ambassador to the  
19      United States and friend of Abramoff. On September 15, 2017, when Delaguardia  
20      was with Andrade in Panama to discuss the possibility of the Panama Canal using  
21      AML Bitcoin, Andrade wanted to do a photo op at the Panama Canal, but  
22      Delaguardia determined it was not necessary. Reporting this to Abramoff,  
23      Delaguardia sent Abramoff a photo of Grima[ce], the grinning purple blob from  
24      McDonald Land who was an evil character, known for being stupid and for  
25      stealing milkshakes. This nickname was used repeatedly by Delaguardia to  
26      describe Mr. Andrade. Dent Decl., Exh. 4. Delaguardia, in connection with his  
27      efforts to get AML Bitcoin into Panama, created a new Panamanian company  
28      called Zentrum, and Delaguardia served as President. Abramoff tried to persuade  
29      Mr. Andrade to use the bank account of Delaguardia’s new company as an escrow  
30      account to hold the money purchasers used to buy AML tokens. Mr. Andrade  
31      never accepted that offer. In addition, Abramoff appointed Delaguardia to serve  
32      as VP of Latin American affairs for Mr. Andrade’s company, a role through  
33      which Delaguardia handled the AML Bitcoin communications with the Panama  
34      Canal and even authored the Panama press releases relating to AML Bitcoin. Dent  
35      Decl. ¶ 25 and Exh. 6.
- 36      ▪ **Joey Allaham** Abramoff was partners with his then-close friend Joey Allaham in  
37      a company called Lexington Strategies, but their WhatsApp chats reflect that the  
38      two spent most of their time arguing. On November 3, 2017, Abramoff told  
39      Allaham that he wanted to meet and discuss AML Bitcoin. “I just heard that the  
40      Crown Prince of Dubai (or his investment fund, not sure) is about to purchase a  
41      huge block of the coins.” Dent Decl., Exh. 12, Excerpt 3. On January 26, 2018,  
42      Abramoff sent Allaham one of the AML Bitcoin Special Purchase Agreements  
43      that was used to raise money in connection with the Super Bowl advertisement.  
44      Dent Decl., Exh. 12, Excerpt 1. Allaham also signed a purchase agreement for



\$500,000 worth of AML Bitcoin tokens on February 23, 2018. Dent Decl., Exh. 12, Excerpt 5.

- **Mariia Butina**: Butina is a Russian spy, a convicted felon, and through her boyfriend Paul Erickson, an associate of Abramoff. When her home was searched, the FBI found AML Bitcoin marketing materials (with the handwritten notes of her boyfriend, convicted felon and Abramoff friend Paul Erickson). Despite knowing those facts, the government initially resisted discovery of AML Bitcoin materials and notes and made light of Mr. Andrade’s requests that included the names of people such as Paul Erickson and Mariia Butina, stating that “conspiratorial speculation is not a proper basis for discovery in a criminal case” and that “the government is aware of nothing beyond such speculation justifying defendant’s request.” Dkt. #124 at 1:6-8 (emphasis added).
- Other individuals who schemed with Abramoff during the relevant time period include, but are not limited to:
  - **Dana Rohrabacher**: Former California Congressman and decades-long close friend of Abramoff; read a speech written by Abramoff, promoting AML Bitcoin, on the Floor of the U.S. House of Representatives; assisted Abramoff with introducing AML Bitcoin to foreign countries; and is mentioned in Abramoff’s chilling Call to Arms recording referenced above.
  - **Nick Muzin**: Together with Joey Allaham, was a partner of Abramoff in a company called Lexington Strategies. Defense counsel is still investigating and reviewing documents relating to what appears to have been a money laundering scheme involving AML Bitcoin.
  - **Nick Evdokima**. Founded ICOBox, the Russian company that handled the ICO for AML Bitcoin; ICOBox and Evdokima were sued by the SEC in September 2019 for alleged illegal involvement in digital token offerings that raised more than \$650 million.  
<https://www.sec.gov/enforcement-litigation/litigation-releases/lr-24601>
  - **Ghost Management Group**: Abramoff and his son Alex ran Ghost Management. Defense counsel is still learning about the company. It appears to be part of a plan to conceal lobbying efforts. The company sent several payments to Landfair Capital Consulting, the “money connection” described above. Dent Decl., ¶26.
  - **Pangea LLC**; Pangea, according to the affidavit for probable cause in support of a search of Abramoff’s house in September 2018, is operated by James Kahrs and is a company for the benefit of Abramoff. Pangea made several payments to Landfair Capital, and also received payments for illegal lobbying work from Ghost Management.

1           ○ **Brian Darling:** Darling received AML Tokens directly from Abramoff  
2           for lobbying and writing press releases to promote AML Bitcoin.

- 3           ▪ The countries used by the characters above include Albania, Angola, Panama,  
4           Estonia, Congo, Azerbaijan, and others.

5           That the full story of what Abramoff was up to in late 2017 and early 2018 is neither  
6           clear nor complete does not alter the fact that discovery – classified or not – about Abramoff’s  
7           international wrongdoing will be helpful to Mr. Andrade’s defense. As the Angola money  
8           laundering and Super Bowl advertisement reflect, Abramoff’s international wrongdoing is a  
9           material part of showing that Abramoff was working behind Mr. Andrade’s back to use  
10          Mr. Andrade’s business to advance Abramoff’s own wrongdoing, even when it undermined  
11          Mr. Andrade’s business or led to misrepresentations charged in the indictment. Abramoff’s  
12          international wrongdoing and the statements he made to Mr. Andrade to further that wrongdoing  
13          – such as the hype that preceded the ICO – provide the context as well as a basis for  
14          demonstrating that Mr. Andrade was acting in good faith. The full scope of Abramoff’s  
15          international wrongdoing may be boundless, but the above examples suggest a reasonable chance  
16          that the wrongdoing, when fully understood, will connect to AML Bitcoin and to Mr. Andrade’s  
17          defense.

18  
19  
20          **d. The Government Has Proven Itself to be a Poor Judge of**  
21          **What Is Material to the Defense, Despite Repeated Adverse Rulings**  
22          **By Judge Beeler**

23          The Court, when considering the government’s *ex parte* arguments for why the  
24          unidentified classified information should not be produced to Mr. Andrade, should consider the  
25          fact that the government’s view of what is “relevant” in this case consistently has been rejected  
26          by Judge Beeler – *over a dozen times*. Specifically, on April 7, 2023, Judge Beeler granted all  
27          five of the requests before her. (Dkt. # 120). The five requests focused on Abramoff’s  
28          international crime spree with others, and resulted in Judge Beeler’s ruling, quoted above, that

“limiting the production to references to Mr. Andrade and AML Bitcoin is too narrow.” On March 17, 2024, Judge Beeler ruled in Mr. Andrade’s favor on ten of the eleven requests in his motion to compel filed on January 25, 2024. Dkt. #275. The government’s discovery record is 1-15.<sup>12</sup>

The government’s poor assessment of relevance in this case also is well illustrated by its resistance (and in some cases refusal) to produce materials relating to alleged co-schemer Abramoff. For example, the government’s response to Mr. Andrade’s request for Alexander Levin’s iPhone and iPad, which were seized by the Southern District of New York in connection with a criminal investigation of Rudy Giuliani and others in that district. Although the government repeatedly has argued that it knows of no connection between Mr. Andrade’s case and the case in the Southern District of New York, publicized information from unsealed search warrants relating to the SDNY’s investigation that Giuliani was investigated for his removal of the U.S. Ambassador to Ukraine in 2019 – one of the *very same pro-Russia “lobbying” activities* about which Abramoff and Levin communicated in June 2018, disguising the work in an invoice as “cryptocurrency consulting.”<sup>13</sup> As it turns out, the so-called “lobbying” work that Abramoff discussed with Levin was just one of many examples of how Abramoff worked behind Mr. Andrade’s back and used Mr. Andrade’s company and his AML Bitcoin to disguise his own international wrongdoing and to promote his pro-Russia agenda – purposes that were contrary to Mr. Andrade’s intentions for his company. demonstrates that the government cannot and should not be trusted when it comes to evaluating what is relevant and helpful to Mr. Andrade’s case.

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<sup>12</sup> The one issue that went in favor of the government in the most recent motion to compel was that it was not required to provide its 404(b) notice yet, a ruling that did not involve relevance. Similarly, the government has prevailed on whether an attorneys’ eye only provision was reasonable for Levin’s search warrant and whether the government could be required to produce devices in its “unlawful possession” based on the search warrant having expired. Again, there were no relevance determinations to be made on those rulings. The government has since realized that, as the defense suggested in its motion, the defense would need considerable time to prepare for its proposed 404(b) material, and it provided notice on September 13, 2024. Dent Decl., ¶ 27.

<sup>13</sup> Dent Decl. at ¶20 (citing FBI-302-0005158 at 9-10).

1 The government cannot and should not be trusted when it comes to evaluating what is relevant  
2 and helpful to Mr. Andrade's case.

3  
4 Respectfully submitted,

5 DATED: October 3, 2024

KING & SPALDING LLP

6  
7 By: /s/ Michael J. Shepard

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Meeting, Berlin 4/17: Ex Kazakh PM Kazegheldin, Trump FL donor Lanny Wiles, Jordan Lams (Moxie cannabis CEO), RU prop filmmaker Nekrasov, Rinat Akhmetshin, unk kid, Rohrabacher's son, Rhonda Rohrabacher, Yuri Vanetik, Paul Behrends, unk person, **Dana Rohrabacher**, Agrarian Party of Ukraine leader, Vitaliy Skotsyuk, Rohrabacher's aide Jason Beck.

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

ROWLAND MARCUS ANDRADE,

Defendant-Appellant.

Case Nos. 25-5095; 25-6056; 25-6507

D.C. No. 3:20-cr-00249-RS-1

Northern District of California,  
San Francisco

**DEFENDANT’S MOTION TO USE  
STOCK ASSETS AND CONDUCT  
PUBLIC FUNDRAISER FOR  
SPECIALIZED COUNSEL AND  
FAMILY SUPPORT**

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**EXHIBIT -C**

**EVIDENCE OF MONEY LAUNDERING BY ABRAMOFF’S  
ORGANIZED CRIME MEMBERS WHO WERE ALSO  
GOVERNMENT TRIAL WITNESSES.**



FILED

## UNITED STATES DISTRICT COURT

MAY 22 2019

for the  
Northern District of CaliforniaSUSAN Y. SOONG  
CLERK, U.S. DISTRICT COURT  
NORTH DISTRICT OF CALIFORNIA

SK

In the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)

Case No. 3 19 70800

AN EMAIL ACCOUNT STORED AT PREMISES  
CONTROLLED BY [REDACTED] AS IDENTIFIED IN  
ATTACHMENT A

UNDER SEAL

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

AppRiver, LLC an email provider located at 1101 Gulf Breeze Parkway, Suite 200, Gulf Breeze, Florida.

located in the Northern District of Florida, there is now concealed (identify the person or describe the property to be seized):

See Attachment A, attached hereto and incorporated fully herein by reference

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;  
☒ contraband, fruits of crime, or other items illegally possessed;  
☐ property designed for use, intended for use, or used in committing a crime;  
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 USC §§ 1343; 1346; 1957	Wire Fraud; Honest Services Fraud; Money Laundering

The application is based on these facts:

See Affidavit of Special Agent Ethan Quinn, attached hereto and incorporated fully herein.

- ☒ Continued on the attached sheet.  
☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Approved as to form:

AUSA Farnham, [REDACTED]

Applicant's signature

Ethan Quinn, Special Agent, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 5-22-19

Judge's signature

City and state: San Francisco, California

Printed name and title

BACKGROUND OF THE WATLEY GROUP, LLC

29. According to the website for the entity, The Watley Group, LLC is described as a Los Angeles based turnaround and corporate restructuring firm specializing in Chapter 11 Chief Executive Officer services. According to the webpage, BRYAN acted CEO and/or the trustee of several firms which entered bankruptcy. BRYAN is the CEO of the Watley Group, LLC.

30. Per the Watley Group website, located at <http://watley.com>, the Watley Group has been engaged in corporate restructuring efforts since 1980. According to records with the California Secretary of State, the Watley Group, LLC was incorporated in 1996.

31. The Watley Group listed address is [REDACTED] suite 101 on its Articles of Incorporation, filed with the California Secretary of State's Office.

32. The Watley Group maintains e-mail address for employees, including BRYAN. **Subject Account** appears in the electronic address books and contacts of BRYAN's associates, and is provided as a way to contact BRYAN in correspondence.



beyond the idax level. It's not. Not sure if you have any ideas on this one, but not good. Here's a chiddush: I'm not sure Marcus knows how to handle this. But, in my view, this is rather serious. Any ideas?" NAIMER responded "I was hoping Q or Bryan would be able to take care of that. That is what we have them a bunch of coins for 2-3 months ago." I believe this reflects the motivation of the principles of AML Bitcoin attempting to artificially inflate the market price of AML Bitcoin tokens in order to fraudulently raise funds based on this false market price. These communications also reflect BRYAN's contined role in the manipulative and deceptive trading.

#### **Sale of Option for "The French Doctress"**

95. According to publicly available information, CS Mining, LLC was a Utah based mining corporation. In 2016, CS Mining was in Chapter 11 Bankruptcy, in the United States Bankruptcy Court in the District of Utah. CS mining controlled mineral rights in Utah, on land owned by the United States Bureau of Land Management. At the time, CS Mining's board of directors consisted of Marshall Cooper, David Richards and Clinton Walker. Cooper, Richards and Walker all sit on the board of Skye Mineral Partners (SMP), which owned almost all of CS Mining. In June of 2017, John Bryan was appointed to the board. Bryan was appointed by **Clarity Copper**, which is the company controlled by Walker.

96. A major issue during the bankruptcy was an attempt by a creditor, associated with Lippo China Resources, Ltd, to acquire mineral assets in Utah. This effort was opposed by CS Mining's board of directors, and was being litigated in both the bankruptcy proceedings and other venues.

97. By potentially as early as December 2016, BRYAN solicited the assistance of ABRAMOFF on behalf of CS Mining, in an apparent effort to disrupt the takeover of CS Mining by the Lippo-affiliated entities. Throughout this period, ABRAMOFF and BRYAN communicated via text message and the WhatsApp messaging service. I have reviewed text messages and WhatsApp messages between ABRAMOFF and BRYAN that were stored on ABRAMOFF's cellular telephone.

98. In particular, ABRAMOFF appears to be coordinating a lobbying effort, which included media articles to encourage United States Government intervention in the deal. **ABRAMOFF also appears to have coordinated a payment to CONGRESSMAN I, via the sale of a movie screenplay option of "The French Doctress" to BRYAN.** The French Doctress was authored and owned by

1 CONGRESSMAN 1. In exchange for this payment, ABRAMOFF appears to have promised  
2 CONGRESSMAN 1's assistance in the CS Mining matter. ABRAMOFF and BRYAN conspired to use  
3 funds from CS Mining to pay for the purchase of the script. The particulars of this payment will be  
4 explained more fully below.

5 99. CONGRESSMAN 1 was an elected member of Congress, representing parts of Orange  
6 County, California. CONGRESSMAN 1 and ABRAMOFF are long-time friends. ABRAMOFF has  
7 marketed his connections to CONGRESSMAN 1 in efforts to solicit lobbying clients.  
8 CONGRESSMAN 1 is also publically know to have written movie screenplay, with the two publically  
9 known screenplays being "The French Doctress" and "Baja". There is no record of any of  
10 CONGRESSMAN 1's scripts being produced as movies, though records show CONGRESSMAN 1 sold  
11 options on both screenplays at least once each.

12 100. I have interviewed former employees of the Watley Group, including Adam Campbell.  
13 Campbell worked for BRYAN, and Campbell's responsibilities included leading efforts to establish a  
14 television production company, including reviewing movie scripts. Campbell provided the FBI with an  
15 e-mail chain, dated December 7, 2016. This chain began with an e-mail from ABRAMOFF to Subject  
16 Account, stating "John, here is the screenplay. Let's discuss. Best, Jack." A few hours later, BRYAN  
17 forwards the e-mail from Subject Account, to Campbell's Watley Group e-mail account, with an  
18 attached digital copy of "The French Doctress". Campbell directed the Watley Group's office assistant  
19 to print the screenplay.

20 101. Campbell advised he never read the whole screenplay, as their potential production  
21 company ws focused on television, and the French Doctress was not a good fit for it. Campbell never  
22 attempted to sell the screenplay to any other production companies, and was not aware of BRYAN ever  
23 taking any steps to sell or produce the screenplay. Campbell was never informed the Watley Group  
24 purchased an option for the The French Doctress. BRYAN never followed up with Campbell  
25 regarding The French Doctress. Campbell was unaware of the Watley Group ever purchasing any  
26 screenplay options at all, and the Watley Group never produced any entertainment product. I believe  
27 this reflects the pretextual nature of the screenplay option purchase, because the purchase of the options  
28 only occurred several months later, when BRYAN needed assistance with CS Mining.



102. On March 28, 2017, ABRAMOFF sent a WhatsApp message to BRYAN reading "what I was telling you is that I hope we can close the CONGRESSMAN 1 deal before Sunday. President Sisi from Egypt is going to be in LA with CONGRESSMAN 1 on Sunday, and I want you to meet him, but it would help if this is off the table or done. Possible?" BRYAN responded with a series of messages reading "Wowowowowwwwlssleeeleleoeowow", "Fuck", "So cool", "Right", "I will push hard". ABRAMOFF responded "great. thanks". I believe this reflects ABRAMOFF performing a gatekeeping function between CONGRESSMAN 1 and BRYAN to ensure BRYAN pays, by denying access until the deal was completed.

103. BRYAN follow up with a series of messages reading "They should be done today", "And I assume docs will take a day extra", "Fuck I can't wait to sign this LOL", "And get this God damn money", "Bradford I can do jack is when I get back I will give you two checks for 25,000 he and then as the money comes soon as the money gets in you can give him today now but wait till my money gets in LOL", and "Sorry I'm using voice dictate what I said was perhaps what I can do". ABRAMOFF responded "no worries. As soon as you are back, call me and we'll figure out logistics. [CONGRESSMAN 1]'s in LA on Friday, btw." I believe this reflects BRYAN's efforts to secure funding for the CONGRESSMAN 1 deal.

104. On April 3, 2017 ABRAMOFF sent BRYAN a WhatsApp message discussing positive developments in CONGRESSMAN 1's potentially being offered a senior position in the United States Department of State. ABRAMOFF followed this message with "we have to get that project closed with him, and fast. Can you move on this now?", "I think there's going to be a job change for CONGRESSMAN 1 coming, so we have to move it. more when we are in person". I believe this reflects ABRAMOFF's desire to close the screenplay deal before CONGRESSMAN 1 would be under increased scrutiny due to a high profile appointment.

105. BRYAN responded with "Wowowowwowowowow", "I am so close", and "I think most of the documents are completed". ABRAMOFF responded "days? hours? lol". BRYAN responded "Not completely sure let me send you email I just got".

106. On April 24, 2017, ABRAMOFF sent a WhatsApp message to BRYAN reading "Hi John. I spoke with [CONGRESSMAN 1]. He is willing to come to LA for dinner tonight. Please let

me know as soon as you can whether you think we're a go for you to give him a check tonight. Looking forward to seeing you later. I'm in a deposition now (my father's project in New Jersey via video in Pasadena), but should be able to text/email all day. Supposed to leave here at 3:30. I told [CONGRESSMAN 1] I would let him know around lunch time whether tonight will work." BRYAN responded "Ok bro...work8ng on stuff now". ABRAMOFF and BRYAN messaged several more times determining if the meeting was happening that night. Later, ABRAMOFF wrote "great. does it look good to meet with [CONGRESSMAN 1] tonight and give him a check?" ABRAMOFF and BRYAN agree to meet prior to the meeting with CONGRESSMAN 1, for a "pre-meet brief". After agreeing to a time, ABRAMOFF writes "perfect. Can you get me then? Also, don't forget a check for him! :)". I believe this e-mail demonstrates the efforts by ABRAMOFF for BRYAN to pay CONGRESSMAN 1.

107. I have review financial records for BRYAN. BRYAN wrote a check to a US Bank account for The Watley Group, dated April 28, 2017, pay to the order of CONGRESSMAN 1, for \$50,000. The check was deposited at the Congressional Federal Credit Union on April 28, 2017, where is was returned for insufficient funds. The check was then deposited again on May 2, 2017, and it cleared. The memo line reads "option script".

108. On June 14, 2017, ABRAMOFF sent a WhatsApp message to a Charles Johnson stating "so here's the deal. The Riady's company (Lippo) is making a very sly move to take over mining leases in Utah (copper, gold, silver). Our guys want to stop them. I have folks very close to Zinke and to the Utah delefation [sic] ready to pounce. the goal will be to put lippo on the Interior debarment list. But, I need a complete dossier on the Riady's and Lippo and their perfidy. Can your guys pull it together really fast? how much would it cost to get? Thanks!!!".

109. Johnson is an activist and newswriter, and ran a website called WeSearchr. WeSearchr purported to crowdsource journalistic investigations, wherein bounties would be placed on certain reporting goals. On June 14, 2017, After acknowledging Abramoff's message, Johnson responded "What's the budget ? Can also cause some trouble for them in Utah". Abramoff responded "budget undecided. Can you give me a range of options?" "including the Utah option, and let me know what you think you can do there."

110. Johnson responded "Yes, can do something very thorough for \$50k. If that's too much



we can work something out.” Abramoff responded “definitely too much for these guys. What can you do for \$15k”. Abramoff also added “one of the things we need to nail down: proof or anything that supports the claim that the Riadys are agents of Chinese intel. That’s a biggie”. I believe this demonstrates ABRAMOFF’s efforts to create pretext for intervention by the United States Department of Interior to intervene in the seizure of CS Mining’s assets.

111. On July 21, 2017, The Daily Caller, a politically conservative online news outlet, published an article entitled “Exclusive: Convicted Clinton Indonesian Fiancier Returns to the US”, with the byline of Richard Pollack. The article describes efforts by Lippo to acquire CS Mining assets via the bankruptcy proceedings. The article also discusses James Riady’s connections to a campaign finance conviction related to former President Clinton, during Clinton’s term. The conclusion of the article describes how the Department of the Interior or the Committee on Foreign Investment could intervene to stop the asset acquisition.

112. On August 18, 2017, the bankruptcy court approved the sale of substantially all of CS Mining’s assets at auction to Tamra Mining Company, LLC. Tamra is an entity created by Lippo to manage CS Mining Assets. This sale was granted over the objections of Richard.

113. On CONGRESSMAN 1’s Financial Disclosure Report, filed with the Clerk of the United States House of Representatives on August 13, 2018, CONGRESSMAN 1 disclosed his sources of income. One of the disclosed sources was the Sale of option for the screenplay of “The French Doctress” for \$15,001 to \$50,000 on April 25, 2017. The disclosure does not identify the purchaser.

114. I believe there is probable cause linking the purchase of CONGRESSMAN 1’s screenplay to efforts to encourage federal government intervention in the bankruptcy sale of CS Mining’s assets, and Subject Account email address was utilized.

### CONCLUSION AND REQUEST FOR SEALING

115. Based on the foregoing, I believe there is probable cause that the subject e-mail account contain evidence of violation of 18 U.S.C. § 1343 (Wire Fraud), 18 U.S.C. § 1957 (Money Laundering), and 18 U.S.C. § 1346 (Honest Services Fraud). As such, I have probable cause to believe that on the computer systems owned, maintained, and/or operated by AppRiver exists evidence, fruits, and instrumentalities of violations of these statutes. By this affidavit and application, I request that the Court

1 issue a search warrant directed to AppRiver allowing agents to seize the e-mail and other information  
2 stored on the AppRiver servers for this account pursuant to the search procedure described.

3 116. Since this investigation is continuing, disclosure of the search warrant, this affidavit,  
4 and/or this application and the attachments thereto will jeopardize the progress of the investigation.  
5 Accordingly, I request that the Court issue an order that the search warrant, this affidavit in support of  
6 application for search warrant, the application for search warrant, and all attachments thereto be filed  
7 under seal until further order of this Court.

8 I declare under penalty of perjury that the above is true and correct to the best of my knowledge  
9 and belief.

10   
11 ETHAN QUINN  
12 Special Agent, Federal Bureau of Investigation

13 Subscribed and sworn to before me this 22 day of May 2019.

14  
15   
16 THE HONORABLE SALLIE KIM  
17 UNITED STATES MAGISTRATE JUDGE  
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**From:** John Bryan  
**Sent:** Monday, December 5, 2016 5:51 PM  
**To:** Jack Abramoff  
**Subject:** RE: Dana

Which one was the French Doctress? Call me when you have a chance.

John

Telephone: [REDACTED]  
Mobile: [REDACTED]  
Email: [REDACTED]  
Website: [www.watley.com](http://www.watley.com)  
See the E-Mail Disclaimer on our website.

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**From:** Jack Abramoff [mailto:[REDACTED]]  
**Sent:** Monday, December 5, 2016 3:33 PM  
**To:** John Bryan  
**Subject:** RE: Dana

Hi John. Things are definitely moving in the right direction. The talk in NY is about a dynamic duo of Dana as Secretary and Bolton as deputy. We'll see. The best thing you can do to help is that TV project, the French Doctress, if you recall our discussion. Anyway, let me know when you're free to chat. Best, Jack

---

**From:** John Bryan [mailto:[REDACTED]@watley.com]  
**Sent:** Sunday, December 4, 2016 9:29 PM  
**To:** Jack Abramoff [mailto:[REDACTED]]  
**Subject:** Dana

How can I help Jack?

Did you see the news on Bloomberg today?

Bloomberg says Trump does not like Giuliani or Romney....

Widening search.... WE NEED DANA!!!!

John

A. John A. Bryan Jr.  
Chief Executive Officer  
The Watley Group, LLC  
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Website: [www.watley.com](http://www.watley.com)

See the E-Mail Disclaimer on our website [www.watley.com](http://www.watley.com).



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**From:** Jack Abramoff <jack@[REDACTED]>  
**Sent:** Thursday, March 23, 2017 10:19 AM  
**To:** John Bryan  
**Subject:** FW: Email from Ethics Committee attorney

Hi John. please take a look and let's discuss this afternoon. Are you in LA?

---

**From:** Dykema, Rick [REDACTED]house.gov]  
**Sent:** Tuesday, March 21, 2017 5:41 PM  
**To:** Jack Abramoff  
**Cc:** Dana Rohrabacher  
**Subject:** Email from Ethics Committee attorney

Jack—  
Per your and Dana's request.

--Rick  
Richard T. (Rick) Dykema  
Chief of Staff  
Rep. Dana Rohrabacher

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**From:** Nedzar, Tamar  
**Sent:** Wednesday, March 1, 2017 11:37 AM  
**To:** Dykema, Rick  
**Subject:** RE: Documents relating to a new screenplay option

Mr. Dykema,

I am sending this email to confirm our conversation yesterday afternoon concerning Mr. Rohrabacher's screenplay for *The French Doctress*.

You indicated that Mr. Rohrabacher wrote the screenplay before he was elected to the House of Representatives, and that the work is a WWII thriller. You believe the Watley Group became aware of Mr. Rohrabacher's screenplay due to Mr. Rohrabacher's activities to promote the work, without the assistance of an agent. As far as you know, Mr. Rohrabacher negotiated the terms of the contract through an arm's length transaction, and the terms are usual and customary.

I told you that, similar to Baja, Mr. Rohrabacher is not required to seek Committee input on his contract; however, he can seek a formal advisory opinion if he wishes, which is the Committee's official position on a question.

I noted that Mr. Rohrabacher appears to have negotiated a higher dollar value for both the option and the production value for this screenplay, which he is permitted to do so long as the transaction was arm's length and the terms are usual and customary (which you confirmed). I further pointed out that this contract does not

address travel related to production of the screenplay, whereas the Baja contract did. I do not express an opinion on that matter, and merely note the difference.

In sum, from a staff-level, informal standpoint, I do not see anything in the contract (and did not hear anything in our discussion) that would prevent Mr. Rohrabacher from pursuing the option contract if he wishes.

Please let me know if you have any additional questions.

Thank you,

Ms. Tamar Nedzar  
Senior Counsel  
Committee on Ethics  
U.S. House of Representatives  
1015 Longworth House Office Building  
Washington, DC 20515  
[REDACTED]  
[REDACTED]

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**From:** Dykema, Rick  
**Sent:** Tuesday, February 28, 2017 6:25 PM  
**To:** Nedzar, Tamar [REDACTED] [\[REDACTED\]@house.gov](mailto:[REDACTED]@house.gov)>  
**Subject:** RE: Documents relating to a new screenplay option

Tamar—

It was good talking to you today; thanks for the advice.

Could you please send me an email along the lines of the Karena Dees email we got on the Baja screenplay reiterating what you told me in our phone conversation today regarding The French Doctoresse? My boss would like to have that on record. Thank you for your help.

--Rick  
Richard T. (Rick) Dykema  
Chief of Staff  
Rep. Dana Rohrabacher

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**From:** Nedzar, Tamar  
**Sent:** Tuesday, February 28, 2017 9:21 AM  
**To:** Dykema, Rick [REDACTED] [\[REDACTED\]@house.gov](mailto:[REDACTED]@house.gov)>  
**Subject:** RE: Documents relating to a new screenplay option

Works for me. I will give you a call then.

Thank you,

Ms. Tamar Nedzar  
Senior Counsel

Committee on Ethics  
U.S. House of Representatives  
1015 Longworth House Office Building  
Washington, DC 20515  
[REDACTED]  
[REDACTED]

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**From:** Dykema, Rick  
**Sent:** Tuesday, February 28, 2017 9:19 AM  
**To:** Nedzar, Tamar [REDACTED] [\[REDACTED\]@house.gov](mailto:[REDACTED]@house.gov)>  
**Subject:** RE: Documents relating to a new screenplay option

How about 2:30?

---

**From:** Nedzar, Tamar  
**Sent:** Tuesday, February 28, 2017 9:18 AM  
**To:** Dykema, Rick [REDACTED] [\[REDACTED\]@house.gov](mailto:[REDACTED]@house.gov)>  
**Subject:** RE: Documents relating to a new screenplay option

I have to take a meeting this morning that conflicts with when I wanted to connect with you.

Do you have a window of time this afternoon? Any time after 2 should work.

Thank you,

Ms. Tamar Nedzar  
Senior Counsel  
Committee on Ethics  
U.S. House of Representatives  
1015 Longworth House Office Building  
Washington, DC 20515  
[REDACTED]  
[REDACTED]

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**From:** Dykema, Rick  
**Sent:** Monday, February 27, 2017 10:57 AM  
**To:** Nedzar, Tamar [REDACTED] [\[REDACTED\]@house.gov](mailto:[REDACTED]@house.gov)>  
**Subject:** RE: Documents relating to a new screenplay option

Sure.

--Rick  
Richard T. (Rick) Dykema  
Chief of Staff  
Rep. Dana Rohrabacher

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**From:** Nedzar, Tamar  
**Sent:** Monday, February 27, 2017 10:24 AM  
**To:** Dykema, Rick [REDACTED] [il.house.gov](mailto:[REDACTED]@il.house.gov)>  
**Subject:** RE: Documents relating to a new screenplay option

Got your voicemail. I will need some additional time today to get up to speed on the previous issue and continuing conversations. Will you be available around 11 tomorrow to discuss via phone?

Thank you,

Ms. Tamar Nedzar  
Senior Counsel  
Committee on Ethics  
U.S. House of Representatives  
1015 Longworth House Office Building  
Washington, DC 20515  
[REDACTED]  
[REDACTED]

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**From:** Dykema, Rick  
**Sent:** Friday, February 17, 2017 4:30 PM  
**To:** Nedzar, Tam [REDACTED]  
**Subject:** FW: Documents relating to a new screenplay option

Tamar—

I've been told that you've taken over this subject. Here are the documents I mentioned in my voice mail. You can consider the message for Karena below (except for the part about having reviewed the proposed contract for "Baja") as now addressed to you.

Although I'll be out of the country next week, I will be monitoring my email, and if you're in a position to talk, I should be able to call you on the phone, as well.

--Rick  
Richard T. (Rick) Dykema  
Chief of Staff  
Rep. Dana Rohrabacher

---

**From:** Dykema, Rick  
**Sent:** Friday, February 17, 2017 9:33 AM  
**To:** Dees, Karena [REDACTED] [house.gov](mailto:[REDACTED]@house.gov)>  
**Subject:** FW: Documents relating to a new screenplay option

Karena—

Here are documents relating to a new option and potential purchase relating to a different screenplay that Mr. Rohrabacher wrote prior to his becoming a Member of Congress. The proposed contract was based on the

proposed contract for “Baja” that you looked over and thought would be OK. I’d appreciate your looking this over and giving me your overall impression as soon as possible.

--Rick  
Richard T. (Rick) Dykema  
Chief of Staff  
Rep. Dana Rohrabacher

June 26, 2017

A. John A. Bryan Jr.  
Chief Executive Officer  
The Watley Group, LLC  
[REDACTED]  
[REDACTED]

Jack Abramoff  
[REDACTED]  
[REDACTED]  
[REDACTED]

Marcus Andrade  
(address)

Individually Bryan Abramoff and Marcus shall be referred to as a “**Party**” and collectively they shall be referred to as the “**Parties**”.

**RE: Confidentiality Agreement Regarding Collateralized Initial Coin Offering (the “Transaction”)**

---

Gentlemen:

In connection with the Parties working together on the development of an Initial Coin Offering collateralized by future production of approximately 100,00 ounces of gold from a US based gold mine (the “Gold Mine”); the Parties agree to disclose and share certain information regarding the Transaction to each other (the “**Recipient(s)**”). As a condition to furnishing and sharing such information to the Recipient, the Recipient agrees to treat the Confidential Information (as defined below) any information concerning the Parties and the Transaction in accordance with the provisions of this Confidential Agreement (the “**Agreement**”). The term “Confidential Information” includes (i) all information shared between the Parties or any of its Representatives (as defined below), whether furnished before or after the date hereof, whether oral or written, and regardless of the manner in which it is furnished and (ii) reports, analyses, compilations, introductions to coin investors and other third parties, forecasts, projections, data, studies or other documents prepared by a Party, containing or based, in whole or in part, on such information.

As a condition to the Recipient or Party receiving any Confidential Information, the Recipient agrees to treat as confidential any Confidential Information that is furnished by or on behalf of the Parties to the Recipient, including, without limitation any attorneys, accountants, consultants, bankers, financial advisors, or any representatives of Recipient (collectively, the “**Representatives**”).

The term “Confidential Information” does not include information that (a) was known or possessed by the Recipient or its Representatives prior to the date hereof or prior to its disclosure pursuant to this Agreement from a source that was not prohibited from disclosing such information to the Recipient by a contractual, legal or fiduciary obligation to the Parties, (b) was or becomes available to the public other than as a result of a breach of the terms of this Agreement, (c) was or becomes available to the Recipient or its Representatives other than in connection with the Parties disclosure pursuant to this Agreement from a source that was not prohibited from disclosing such information to the Recipient by a contractual, legal or fiduciary obligation to the Parties or (d) can be demonstrated to be independently developed by Recipient or its Representatives without reference to any Confidential Information provided hereunder. The term “person” as used in this

Subject **FW: ICO Transaction NDA June 26 17**  
From Jack Abramoff <jack@abramoff.com>  
To <compliance@atencoin.com>  
Date 2017-06-26 15:14



- 
- ICO Transaction NDA June 26 17.DOCX(~29 KB)
- 

Hi Marcus. Here is John's NCND. Looks OK to me, but please let me know if you want any changes. Best, Jack

---

**From:** John Bryan [mailto:jbryan@watley.com]  
**Sent:** Monday, June 26, 2017 12:37 PM  
**To:** Jack Abramoff <jack@abramoff.com>  
**Subject:** ICO Transaction NDA June 26 17

ATTACHED IS THE NDA ... CAN YOU PLEASE REVIEW IT AND SEND BACK ANY COMMENTS?

John

A. John A. Bryan Jr.  
Chief Executive Officer  
The Watley Group, LLC  
8439 Sunset Boulevard, Suite 101  
West Hollywood, CA 90069  
Telephone: +1-310-777-8889  
Mobile: +1-310-497-9131  
Email: [jbryan@watley.com](mailto:jbryan@watley.com)  
Website: [www.watley.com](http://www.watley.com)

See the E-Mail Disclaimer on our website [www.watley.com](http://www.watley.com).





# Extraction Report

Apple iPhone Logical

## Participants

John Bryan 1310  
Jack Abramoff 1

## Conversation - Instant Messages (37)

☆	[REDACTED] et Jack Abramoff	4/5/2017 5:16:33 PM(UTC+0)	
	any update regarding meeting Charlie?		
☆	[REDACTED] Jack Abramoff	4/5/2017 5:18:17 PM(UTC+0)	
	i can't. I have to pick up my wife at the airport. I can do lunch Friday, but not tomorrow. i could do breakfast tomorrow, but i have a tv gig (on skype) at my house at 9:30. we could do Bev Hills Hotel around 8 or 8:30 if you want. or Friday.		
☆	[REDACTED] t Jack Abramoff	4/24/2017 5:03:33 PM(UTC+0)	
	Hi John. I spoke with Dana. he is willing to come to LA for dinner tonight. Please let me know as soon as you can whether you think we're a go for you to give him a check tonight. Looking forward to seeing you later. i'm in a deposition now (my father's project in New Jersey via video in Pasadena), but should be able to text/email all day. supposed to leave here at 3:30. i told Dana i would let him know around lunch time whether tonight will work.		
☆	[REDACTED] s.whatsapp.net John Bryan	4/24/2017 5:03:56 PM(UTC+0)	
	Ok bro....work8ng on stuff now		
☆	[REDACTED] whatsapp.net John Bryan	4/24/2017 9:21:08 PM(UTC+0)	
	I am almost done...		
☆	[REDACTED] whatsapp.net Jack Abramoff	4/24/2017 9:30:25 PM(UTC+0)	
	great. does it look good to meet with Dana tonight and give him a check?		
☆	[REDACTED] whatsapp.net Jack Abramoff	4/24/2017 11:44:24 PM(UTC+0)	
	John, do you want to drive to the restaurant together so we can do a pre-meet brief? can you pick me up at our house near the BH Hotel, if so? we have a 7:15 reservation.		
☆	[REDACTED] whatsapp.net Jack Abramoff	4/27/2017 3:06:16 AM(UTC+0)	
	John, please call me! i cannot do more on the memo until we speak. also, I don't understand the Charlie email. should I presume I'm leaving in the morning? I guess so, but if I am wrong, please call me asap. thanks		
☆	[REDACTED] whatsapp.net Jack Abramoff	4/28/2017 1:19:52 AM(UTC+0)	
	hi John. i'm in DC. Any word from Chris? or Charlie?		
☆	[REDACTED] whatsapp.net Jack Abramoff	5/9/2017 1:57:21 PM(UTC+0)	
	<p>French Doctress Option.pdf</p> <p>Attachments:</p> <p><a href="https://mmg.whatsapp.net/d/f/AlHuhAdRYttLzb7p-IJ7P7ngXK_UFEClcVorz2fQxmhd.enc">https://mmg.whatsapp.net/d/f/AlHuhAdRYttLzb7p-IJ7P7ngXK_UFEClcVorz2fQxmhd.enc</a>  <a href="33ded5bb-691a-40ae-acd2-ae123c653b6e.pdf">33ded5bb-691a-40ae-acd2-ae123c653b6e.pdf</a></p>		

whatsapp.net John Bryan

5/9/2017 8:02:54 PM(UTC+0)

Got it

pp.net Jack Abramoff

6/15/2017 5:02:12 PM(UTC+0)

did you have a chat with Clint? i'm starting a meeting for an hour, but free around 11 am. let me know. thanks.

pp.net Jack Abramoff

7/7/2017 9:45:31 PM(UTC+0)

John, here is where we should send the \$50K to get this going. let's chat later

Landfair Capital Consulting, Inc.  
Bank of America  
100 North Tryon Street  
Charlotte, North Carolina 28255  
Account number 325062077280  
Routing number 026009593

net Jack Abramoff

7/18/2017 9:20:13 AM(UTC+0)

<http://www.breitbart.com/big-government/2017/07/17/flashback-most-explosive-case-of-foreign-meddling-in-u-s-election-history-linked-to-clintons-the-democrats/>

Attachments:



FLASHBACK: Most Explosive Case of Foreign Meddling in U.S. Election History Linked to Clintons, the Democrats  
<http://www.breitbart.com/big-government/2017/07/17/flashback-most-explosive-case-of-foreign-meddling-in-u-s-election-history-linked-to-clintons-the-democrats/>  
fa4f67c4-91a5-479a-904c-1fb2c4d023be.thumb

pp.net Jack Abramoff

7/25/2017 12:37:45 PM(UTC+0)

hi John. Any updates? were you able to chat with Clint? We have precious few days left to get something moving on the Hill. they are leaving at the end of next week, and my guys are consumed with other projects I have given them, so if we are going to do phase 2, I need to know asap. If not, no worries of course, but i wanted to be clear that in a day or so more, there will be nothing we can launch on this. anyway, I am heading out to morning services and then the gym. let me know. best. Jack

sapp.net John Bryan

7/25/2017 12:38:08 PM(UTC+0)

Yes I'll give you a call in about 10 or 15 minutes

pp.net Jack Abramoff

8/3/2017 3:27:39 AM(UTC+0)

ok. what happened with clint?

pp.net Jack Abramoff

8/3/2017 3:28:25 AM(UTC+0)

so, nothing new with Clint?

whatsapp.net John Bryan

8/3/2017 3:29:39 AM(UTC+0)

Term.sheet for Marcus is almost done

whatsapp.net John Bryan

8/3/2017 3:30:17 AM(UTC+0)

I will het something for phase 2

pp.net Jack Abramoff

8/3/2017 3:30:30 AM(UTC+0)

did they ever pay you for phase 1?

whatsapp.net John Bryan

8/3/2017 3:30:49 AM(UTC+0)

Part arrived now

sapp.net John Bryan

8/3/2017 3:30:58 AM(UTC+0)

I will collect tomorrow

OK, good. also, Dana asks me daily about the second payment. Any chance of that happening? if we can squeeze \$50K more out of these guys, we can cover it, but I still need \$\$ to make this happen. See if you can get \$150K from them. I'll try to get things done for \$100K and you can use the \$50K for DAna. It sucks for me, though since this will then be the second phase where I got nothing for working on this, but I will trust that you will figure out something down the line.

[redacted]p.net John Bryan

8/3/2017 3:36:27 AM(UTC+0)

Right

[redacted]p.net John Bryan

8/3/2017 3:37:04 AM(UTC+0)

Invoice 75 k for hourly fees

[redacted]atsapp.net Jack Abramoff

8/3/2017 3:37:18 AM(UTC+0)

invoice whom?

[redacted]atsapp.net John Bryan

8/3/2017 3:37:20 AM(UTC+0)

Then only ask for 75 k

[redacted]atsapp.net John Bryan

8/3/2017 3:37:27 AM(UTC+0)

The company

[redacted]atsapp.net John Bryan

8/3/2017 3:37:49 AM(UTC+0)

Vs mining

[redacted]p.net John Bryan

8/3/2017 3:38:08 AM(UTC+0)

It is perfect.pkan

[redacted]app.net Jack Abramoff

8/3/2017 3:38:12 AM(UTC+0)

not sure I understand

[redacted]atsapp.net John Bryan

8/3/2017 3:39:01 AM(UTC+0)

I will only ask them for 75 k

[redacted]p.net John Bryan

8/3/2017 3:39:14 AM(UTC+0)

Then I will invoice for 75 k

[redacted].net John Bryan

8/3/2017 3:39:24 AM(UTC+0)

For my services as director

[redacted].net John Bryan

8/3/2017 3:39:36 AM(UTC+0)

Then we have enough

[redacted]et Jack Abramoff

8/3/2017 6:13:30 PM(UTC+0)

please let me know if you have time to chat. i'll be free until a 1 pm lunch meeting.

Letterhead Memorandum (Rev. 02-05-15)

UNCLASSIFIED//REL TO USA, GBR



United States Department of Justice

Federal Bureau of Investigation

**Tracking #:** 184432699  
**Case File #:** SF-2113481  
**Precedence:** Routine  
**Date:** 05-Oct-2018

Office of Legal Attaché  
United States Embassy  
London, SW11 7US  
+44 (0) 2078913007

National Crime Agency

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**(U//REL TO USA, GBR) CrossVerify, a London company, associated with US fraud investigation**

**Background:**

The purpose of this report is to provide the United Kingdom with information regarding a London company called "CrossVerify" which has been identified by the FBI as relevant to an ongoing fraud investigation.

FBI San Francisco is conducting an investigation of a company called "AML Bitcoin" which is primarily based in the United States. AML Bitcoin has existed as a company in various forms since approximately 2015. It claims to have developed a novel cryptocurrency which will demand the verification of the identity of all persons associated with every AML Bitcoin cryptocurrency transaction. The

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point of AML Bitcoin was to create a cryptocurrency that would be compliant with anti-money laundering regulations in the United States and in other countries.

AML Bitcoin was founded by a U.S. citizen, Rowland Marcus Andrade, who also claimed to be the inventor of the underlying technology. Andrade has a known history of association with financial frauds and the FBI suspects that he is a serial con-artist. Andrade frequently travels to Europe but his activities in Europe are unknown. Witnesses associated with AML Bitcoin have explained to the FBI that Andrade created a company called "AtenVerify" to manage the verification technology associated with AML Bitcoin and that this company ultimately became a company called "CrossVerify" which, the FBI has learned, is based in London.

The FBI has learned that CrossVerify is managed by a man named Richard Naimer, a Canadian citizen. Naimer has been associated with at least one other FBI investigation. In particular, the FBI is aware of allegations that Naimer created a series of straw corporations in order to provide the fraudulent appearance of arms length investments by several institutional investors into a company, when in actuality the investors were the principles of the company. The purpose of the scheme was to benefit from approximately \$39,000,000 in short sales, of which Naimer was a beneficiary. That activity allegedly occurred before 2009.

Based on the investigation to date, the FBI suspects that AML Bitcoin is an investment fraud. That is, AML Bitcoin solicited money from investors based on the premise that the technology was somewhat mature and that AML Bitcoin was actively negotiating with the Bank of England, The London Stock Exchange, The Port of San Francisco, The Panama Canal authority, and European Union regulatory bodies. The FBI does not believe that any of these claims are credible. Andrade has explained to witnesses that Richard Naimer was the AML Bitcoin principal associated with some of these negotiations. Another man, Carl A. R. Weir has been identified as a recent, if not current, Chief executive Officer of CrossVerify.

The current information in the possession of the FBI regarding CrossVerify is:

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## Extraction Report

Apple iPhone Logical

### Participants

Richard 97254 [REDACTED]

Jack Abramoff [REDACTED]

### Conversation - Instant Messages (9)

☆	[REDACTED]s.whatsapp.net Jack Abramoff	12/28/2017 3:28:06 PM(UTC+0)	
	are you free for a call on the Angola currency deal?		
☆	[REDACTED]s.whatsapp.net Richard	12/28/2017 3:52:34 PM(UTC+0)	
	Yup. Call is not going through for some reason. Can try your end?		
☆	[REDACTED]s.whatsapp.net Jack Abramoff	12/28/2017 3:55:47 PM(UTC+0)	
	Africa Funds Deal 12.28.2017.docx		
	Attachments:  <a href="https://mmg-fna.whatsapp.net/d/f/AjaTfoEyDi__ck0guLzd-C3w73sfITfmwWtFb9lqa8ge.enc">https://mmg-fna.whatsapp.net/d/f/AjaTfoEyDi__ck0guLzd-C3w73sfITfmwWtFb9lqa8ge.enc</a> <a href="#">be5068b0-1749-4371-85b2-a578a725dacc.docx</a>		
☆	[REDACTED]s.whatsapp.net Jack Abramoff	12/29/2017 12:01:38 PM(UTC+0)	
	Any response to your questions from the Malaysian?		
☆	[REDACTED]s.whatsapp.net Richard	12/29/2017 12:06:56 PM(UTC+0)	
	Nothing yet.		
☆	[REDACTED]s.whatsapp.net Jack Abramoff	12/29/2017 2:34:08 PM(UTC+0)	
	Jack Maple just texted that Leong is going to be responding tonight or tomorrow.		
☆	[REDACTED]s.whatsapp.net Jack Abramoff	12/31/2017 9:29:23 PM(UTC+0)	
	Just heard from Carlos, Eduardo just called and told him that the other partners signed off on the NDA, so Carlos will be pushing them starting Tuesday on the MOU.		

whatsapp.net Jack Abramoff

1/9/2018 12:21:09 AM(UTC+0)

Angolan Deal Notes – 1/8/2018

- The Sultan of Johor Bahru would be approving the transaction as a business investment for the receiving banks records.
- The Sultan of Johor Bahru owns or is part owner in the developments that the 10% would be purchasing the real estate.
- The money would be deposited into the banks in the UAE that the Sultan of Johor Bahru already has accounts in so that there is no "overseas remittance" guidelines. The banks that he is working with also have branches in London, England and Amsterdam, Netherlands that can accept the funds and transfer to the Sultan of Johor Bahru's accounts in those countries. Therefore, no "overseas remittance".
- They need to make a case to the bank that this is all for "investment purposes" which the Sultan of Johor Bahru would sign off on.
- The paperwork would say that we would be "eventually" investing up to \$150Million USD in Johor Bahru, but we would only have to invest \$50Million USD.
- There is another option through Jakarta Indonesia, but it is more complex and would also be for a smaller amount of money. This could be the next option.
- All the banks understand that the funds will be coming arriving in Angolan Kwanza Cash Notes.

At this time, Mr. Weng Kee Leong has confirmed with all 4 banks that they are ready to move to the next step which would be ascertaining the exchange rate, but to move forward they will need some sort of Memo of Understanding (MOU) so that Mr. Weng Kee Leong can start to finalize the negotiations. So that we are all on the same page ... Mr. Weng Kee Leong would like to have this all completed no later than February 1, 2018 and feels that it could be completed by that time.

@s.whatsapp.net Richard

1/19/2018 10:46:26 AM(UTC+0)

I spoke to Ted after speaking with Marcus late last night.

Bottom line:

Marcus is on board with the move

90 days Ted will function as a consultant will take all operational controls, subordinate to Marcus

Marcus will agree on a compensation package for the initial 90 days.

Thereafter, Marcus will determine if to give Ted ceo or other position, if at all. By then he will turn NAC into a Corp so they can phase equity into a potential package.





# Extraction Report








Apple iPhone Logical

## Participants

Richard S [REDACTED]  
 Jason Osborne [REDACTED]  
 Jack Abramoff [REDACTED]

## Conversation - Instant Messages (20)

- ☆  System Message System Message 4/19/2018 1:51:50 AM(UTC+0)  
 [REDACTED] whatsapp.net created the group "DC DTN Group"
- ☆  [REDACTED] Jack Abramoff 4/19/2018 1:53:31 AM(UTC+0)  
 hi guys. this is to connect Richard Naimer and Jason Osborne. Richard heads the DTN and is coming to the US at the end of the month. Jason is working to set up meetings with Treasury, etc. I want to have the two of you chat in the morning, if possible, so Jason is clear as to the agenda with Sigal Mandelker, the mission of the DTN, the impact of the patent granted in the US today for Marcus's work, etc. Please connect if you guys can. thanks
- ☆  [REDACTED]s.whatsapp.net Jason Osborne 5/3/2018 6:56:40 PM(UTC+0)  
 Okay we are set for tomorrow morning here is the call in info  
 772-775-7270 domestic  
 +972-55-966-1102 Israel  
 Access code: 532989
- ☆  [REDACTED] Jack Abramoff 5/7/2018 1:24:26 PM(UTC+0)  
 reminder that we have the call with Treasury at 10:30/5:30
- ☆  [REDACTED] whatsapp.net Richard 5/7/2018 1:25:54 PM(UTC+0)  
 Yup, on top of it.
- ☆  [REDACTED] whatsapp.net Jack Abramoff 5/7/2018 1:26:21 PM(UTC+0)  
 Jason, can you please confirm with them that they'll be available today as planned?
- ☆  [REDACTED]net Jason Osborne 5/7/2018 1:30:44 PM(UTC+0)  
 Yep I sent them an email and am waiting on confirmation
- ☆  [REDACTED]net Jason Osborne 5/7/2018 1:58:10 PM(UTC+0)  
 They just confirmed
- ☆  [REDACTED]net Jason Osborne 5/7/2018 2:27:03 PM(UTC+0)  
 I'm on
- ☆  [REDACTED]et Jack Abramoff 5/7/2018 2:28:26 PM(UTC+0)  
 let's do a call after the call with these guys. again, the most important thing is to get the meeting set up as soon as possible in DC with Sigal
- ☆  [REDACTED]et Jack Abramoff 5/7/2018 2:28:59 PM(UTC+0)  
 there are no calm days!
- ☆  [REDACTED]pp.net Jack Abramoff 5/7/2018 3:27:23 PM(UTC+0)  
 we don't want challenges, we want to cooperate@

☆	[REDACTED] Jack Abramoff	5/7/2018 3:27:25 PM(UTC+0)	
☆	[REDACTED] Jack Abramoff	5/7/2018 3:27:47 PM(UTC+0)	
☆	[REDACTED]sapp.net Jack Abramoff	5/7/2018 3:27:49 PM(UTC+0)	
☆	[REDACTED]pp.net Jack Abramoff	5/7/2018 3:28:18 PM(UTC+0)	
☆	[REDACTED]p.net Jack Abramoff	5/7/2018 3:28:42 PM(UTC+0)	
☆	[REDACTED]net Jack Abramoff	5/7/2018 3:33:26 PM(UTC+0)	
☆	[REDACTED].net Jack Abramoff	5/7/2018 3:40:07 PM(UTC+0)	

\*Evidence in Discovery proved Aml Bitcoin was a cover story. Meeting was about Ukraine.\*



Participants in the call:

Young Lee: <https://www.sifma.org/people/young-lee/>  
Anne Wallwork  
Allison Leblanc:

Anne introduced herself as the Senior Counsel for Policy with a focus on Fintech and Regtech; but in particular focused on digital identification issues; she mentioned that, as a group, they are focused on DLT both in terms of infrastructure and AML compliance in general

They wanted to know what our conversations in Europe were, and whether we have partnerships already in place. Richard answered fine, but all three of them (particularly Young Lee) evidenced knowledge of the situation in the UK and Europe by reference to a host of conventions there: GDPR, DPA, etc.

They seemed troubled that we do not understand the role of consent within the GDPR, and asked twice about how to reconcile the requirement to control personal ID information with the immutability of the blockchain. Richard's answer was good.

Anne asked if we wished to become certified (not clear: as an identity verifier?) and Richard said we are not seeking to be certified. This did not seem to go well with Anne, though I may have misread this. Either way, we might want to address this point again in the memo.

Anne asked us to reflect on some of their questions and then immediately mentioned, as such a question perhaps, the interoperability of AML Bitcoin with other bitcoins. I think this may have been in the context of the discussion about converting AML Bitcoins to other bitcoins. I think Richard's subsequent clarification that one cannot own an AML Bitcoin outside an AML compliant wallet may have covered this, but we might wish to revisit it in the memo, perhaps as an amplification.

Anne's main concern seemed to be the ascertaining of vulnerabilities within our system and how we can mitigate such vulnerabilities.

She said it is "not sufficient to say it is a proprietary blockchain." She wanted to know what the controls would be. She was troubled that we should only look to financial institutions and exchanges for these controls, so the main crux of our memo should be to discuss this issue, how we will be a vital tool to enable all institutions to conduct ATF/AML/KYC functions, but that we will not be relieving them of the primary responsibility in this area. Again, here, we need to differentiate the CrossVerify Gateway from the ABTC, as that was a source of confusion. In fact, it is very important that, in a concise way, we review the two rather different, though related projects of ABTC and CV.

She requested a detailed identification of the risks and mitigants in our system and who is responsible for implementing them. After Richard indicated that we would build the system to suit that individual institutions requirements, she stressed that nevertheless the system must comport with that nation's requirements (presumably inferring that if an institution – such as an exchange – requested a system that fell outside the compliance regime of their host nation – we would not comply?).

I think she was hoping that we would have a minimal set of metrics that we would require of each institution/exchange/etc. I cannot imagine we don't, right? Perhaps, if we do, we should delineate them in this memo, at least in brief – such as compliance with BSA, Patriot Act, OFAC regs, etc.?

She wanted to know the points at which the risk controls could be undermined, and suggested that FATF recommendations (<http://www.fatf-gafi.org/media/fatf/documents/recommendations/pdfs/FATF%20Recommendations%202012.pdf>) for financial institutions and technology providers be put in place, stressing again that it was not the regulators who should be identifying the risks.

I think the memo to her should address these concerns, and others that you may have identified during the call.

For my sake, here are definitions of GDPR and DPA

The General Data Protection Regulation (GDPR) is a legal framework that sets guidelines for the collection and processing of personal information of individuals within the European Union (EU). ... GDPR will come into effect across the EU on May 25, 2018.

The Data Protection Act 1998 (DPA 1998) is an act of the United Kingdom (UK) Parliament defining the ways in which information about living people may be legally used and handled. The main intent is to protect individuals against misuse or abuse of information about them.



# Extraction Report

Apple iPhone Logical

## Participants

Brian D [REDACTED]@s.whatsapp.net  
 Jack Abramoff [REDACTED]@s.whatsapp.net

## Conversation - Instant Messages (22)

★	[REDACTED]@s.whatsapp.net Jack Abramoff	3/24/2017 8:34:28 PM(UTC+0)	
	hey Brian. is your whatsapp back working?		
★	[REDACTED]0364@s.whatsapp.net Brian D	8/10/2017 6:27:14 PM(UTC+0)	
	Hello. This is Brian Darling.		
★	[REDACTED]@s.whatsapp.net Jack Abramoff	8/11/2017 12:01:36 AM(UTC+0)	
	Thanks		
★	[REDACTED]@s.whatsapp.net Brian D	8/11/2017 2:41:46 AM(UTC+0)	
	Hello		
★	[REDACTED]@s.whatsapp.net Jack Abramoff	8/11/2017 2:42:45 AM(UTC+0)	
	Hey. At dinner with Dana. Chat tomorrow?		
★	[REDACTED]06@s.whatsapp.net Jack Abramoff	8/16/2017 12:40:57 PM(UTC+0)	
	hi Brian. Anything happening on the bitcoin legislation?		
★	[REDACTED]0364@s.whatsapp.net Brian D	9/9/2017 1:34:04 AM(UTC+0)	
	This is BD. I am on Whassap		
★	[REDACTED]@s.whatsapp.net Jack Abramoff	9/9/2017 1:34:41 AM(UTC+0)	
	great. thanks		
★	[REDACTED]@s.whatsapp.net Jack Abramoff	9/12/2017 9:01:47 PM(UTC+0)	
	this just got posted		
★	[REDACTED]@s.whatsapp.net Jack Abramoff	9/12/2017 9:01:48 PM(UTC+0)	
	<a href="https://www.usnews.com/opinion/thomas-jefferson-street/articles/2017-09-12/the-future-of-cryptocurrency-may-be-now-thanks-to-more-mainstream-bitcoin">https://www.usnews.com/opinion/thomas-jefferson-street/articles/2017-09-12/the-future-of-cryptocurrency-may-be-now-thanks-to-more-mainstream-bitcoin</a>		
★	[REDACTED]@s.whatsapp.net Jack Abramoff	9/20/2017 2:12:26 PM(UTC+0)	
	<a href="http://www.investors.com/politics/commentary/a-new-digital-currency-aml-bitcoin-makes-landfall-in-panama/">http://www.investors.com/politics/commentary/a-new-digital-currency-aml-bitcoin-makes-landfall-in-panama/</a>		
	<b>Attachments:</b>		
	A New Digital Currency, AML Bitcoin, Makes Landfall In Panama <a href="http://www.investors.com/politics/commentary/a-new-digital-currency-aml-bitcoin-makes-landfall-in-panama/">http://www.investors.com/politics/commentary/a-new-digital-currency-aml-bitcoin-makes-landfall-in-panama/</a> <a href="#">4a562ee6-4cf1-47e9-9271-5db07611990a.thumb</a>		

☆

@s.whatsapp.net Jack Abramoff

11/9/2017 2:52:48 PM(UTC+0)

Brian, did you ever make contact with Erik Prince?

☆

@s.whatsapp.net Brian D

11/10/2017 5:53:11 PM(UTC+0)

Not yet.

☆

@s.whatsapp.net Jack Abramoff

11/10/2017 5:53:52 PM(UTC+0)

we're running out of time

☆

@s.whatsapp.net Jack Abramoff

12/22/2017 12:38:58 PM(UTC+0)

Attachments:



https://mmg-fna.whatsapp.net/d/f/AIEIqPNbd4Wg8ITN6OSN LVOWJg2oTol7iHA9MUi2o7N1.enc 6780d9aa-7260-4354-a588-0664b49cc17e.mp4

☆

@s.whatsapp.net Jack Abramoff

1/2/2018 8:02:39 PM(UTC+0)

TSpeBN3oYuPPyyKMUdyycDuD3Rx3BecuBR

☆

@s.whatsapp.net Jack Abramoff

1/3/2018 10:44:54 PM(UTC+0)

great on the wallet. does that mean you were able to get Beau, Chase and Tripp to contribute coins to the Rohrabacher for Congress wallet above? if not, please let me know when that gets done. thanks

☆

@s.whatsapp.net Brian D

1/3/2018 10:51:54 PM(UTC+0)

Not yet. Just got off the phone with Beau and just fixed my wallet about 30 minutes ago. I am talking with Beau tomorrow to get his coins transferred and will figure out how to tranfer mine tonight.

☆

@s.whatsapp.net Brian D

1/17/2018 5:20:31 PM(UTC+0)

Check email

☆

@s.whatsapp.net Brian D

1/17/2018 5:23:09 PM(UTC+0)

The craft guys offered me an origination fee - ha!

☆

@s.whatsapp.net Brian D

1/17/2018 5:27:27 PM(UTC+0)

Call Corey Maran of Craft at [REDACTED]

☆

@s.whatsapp.net Brian D

1/17/2018 8:45:59 PM(UTC+0)

Meeting with Feulner went well. And he has no problem with you being involved. He said you were once a tentant in the building. True???











## Extraction Report

Apple iPhone Logical

### Participants

Chase R. Kroll  
Jack Abramoff

### Conversation - Instant Messages (6)

☆		atsapp.net Jack Abramoff	8/11/2017 3:43:54 PM(UTC+0)	
		<a href="https://youtu.be/jsX-N2Bb6a0">https://youtu.be/jsX-N2Bb6a0</a>		
☆		et Chase R. Kroll	8/11/2017 4:00:10 PM(UTC+0)	
		Got it. Thanks.		
☆		atsapp.net Chase R. Kroll	8/11/2017 4:00:24 PM(UTC+0)	
		Also - I got the check from Ghost. Thank you.		
☆		atsapp.net Chase R. Kroll	8/11/2017 9:58:28 PM(UTC+0)	
		Good meeting with Yoho's leg team today. They wouldn't introduce it today, but they want to do it. I reminded them that we need it ASAP.		
☆		atsapp.net Chase R. Kroll	8/14/2017 5:23:53 PM(UTC+0)	
		In a meeting now. Spoke with beau and Brian this morning. Beau pushing Farenthold. I'm pushing Yoho. I'm meeting Brian in an hour. He's pushing Walter Jones too.		
☆		app.net Jack Abramoff	8/14/2017 5:32:49 PM(UTC+0)	
		great. please keep me updated. we're all on pins and needles. they need this to go in asap, since they cannot release the announcement of their ICO until it's done. thanks		

**From:** Jack Abramoff  
**Sent:** Tuesday, February 27, 2018 10:53 AM  
**To:** Jason Osborne (jason@turnberry.com) [REDACTED]  
**Subject:** AML gateway white paper  
**Attachments:** NAC-AML Gateway Whitepaper.docx, Richard Naimen CV.pdf

Jason, please read this carefully and then let's discuss. These are the concepts that we want to have Richard Naimen (head of the DTN, other bio info attached) present to Under Secretary of the Treasury for Terrorism and Financial Intelligence Sigal Mandelker, per our discussion. Ultimately, we want to get some tangible expression (letter?) from Mandelker affirming that this system would meet with US government favor, particularly as a solution for nations currently on the watch list for money laundering, etc., such as Kazakhstan. Please let me know what you think. Thanks.



**From:** Jason Osborne  
**Sent:** Monday, February 26, 2018 12:06 PM  
**To:** Jack Abramoff  
**Subject:** Mind reviewing this?  
**Attachments:** Draft Proposal for Poland - 2-25-18.docx; Untitled attachment 00778.htm

Brian put together a draft and then I added to it. Let me know what you think. 200k is a no go but 100k should be well received. They are hoping to make it longer term after we demonstrate success.

</html

**From:** Jack Abramoff <S05/EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/RECIPIENTS/A1D827A503224EE9A2D075E31FC15D84-JACK>  
**Sent:** 3/26/2018 11:30:28 AM -0700  
**To:** Brian Darling <Brian@lib[REDACTED]>  
**Subject:** RE: AML Bitcoin IME Strategy - SK 2018

Is it possible for them to expatiate on the extent of their contacts with these exchanges, or how specifically they will go about getting to them?

**From:** Brian Darling [mailto:Brian@lib[REDACTED]]  
**Sent:** Monday, March 26, 2018 8:50 AM  
**To:** Jack Abramoff <jack@[REDACTED]>  
**Subject:** FW: AML Bitcoin IME Strategy - SK 2018

Brian Darling

**From:** Mark Cowan <[mcowan@potomacstrategies.net](mailto:mcowan@potomacstrategies.net)>  
**Date:** Monday, March 26, 2018 at 11:41 AM  
**To:** Brian Darling <[Brian@lib\[REDACTED\]](mailto:Brian@lib[REDACTED])>  
**Cc:** Evan Johnson <[ejohnson@cowanstrategies.net](mailto:ejohnson@cowanstrategies.net)>, "[ed@feulner.us](mailto:ed@feulner.us)" <[ed@feulner.us](mailto:ed@feulner.us)>, Anthony Kim <[bj540i@yahoo.com](mailto:bj540i@yahoo.com)>  
**Subject:** AML Bitcoin IME Strategy - SK 2018

Brian,

Please find attached a proposal for AML. Look it over. If not ok, let me know and we'll revise. Sorry it took a while, but we needed to do some research. Thanks. Mark

**Mark D. Cowan | CEO**  
**Potomac International Partners**  
*Formerly Cowan Strategies*

119 Oronoco Street, #200 | Alexandria, VA 22314  
[REDACTED]  
[REDACTED] | [REDACTED] (202) 466-2156

[website](#) | [email](#)



Marcus Andrade <ceo@amlbitcoin.com>

---

**Turnberry is Corey Lewandowski's firm**

1 message

---

**Jack Abramoff** <jack@abramoff.com>  
To: Marcus Andrade <ceo@amlbitcoin.com>

Fri, Apr 13, 2018 at 5:49 PM

list

---

From: Jack Abramoff (jack [REDACTED])  
To: [REDACTED]  
Date: Wednesday, October 4, 2017, 5:29 PM CDT

---

For discussion Sunday, but here's my thinking:

Brian Darling 25,000 – DC work, and PR articles  
Drew Williamson 25,000 – TV show  
Carlos DeLaGuardia 25,000 – Panama etc  
Catin Vazquez 10,000 – Panama etc  
John Crawford 10,000 - UK  
Raymond Robertson 10,000 - UK  
Natko Vlahovic 20,000 – Central Europe/Eastern Europe  
Richard Naimer 25,000 - DTN  
Joey Allaham 2000 – Benomar source  
Jamal Benomar 10,000  
Eli Zicherman 10,000 – Payday loan business



Marcus Andrade &lt;ceo@[REDACTED]&gt;

**coins needing to be sent**

6 messages

**Jack Abramoff** <jack@[REDACTED]>

Sun, Mar 4, 2018 at 7:08 PM

To: Marcus Andrade &lt;ceo@[REDACTED]&gt;

1. Jason Beck. Wallet: TTDqaqcyTwwYyn8etFQfthmX4BEgz668bA. 25,000 coins
2. Bryan Darling: Wallet: TDMRYqNg9fnwPUZPckT3mwcWooWG2KPD2Y. 20,000 coins
3. Peter Tilden (no wallet yet, but once he has one 15,000 coins)
4. Beau Rothschild: Wallet: TMrTeitYnCaDaMvjzE9eeHGS2sve18MSHr. 5,000 coins
5. Eli Zicherman: Wallet: TDgy6CjE9d8vsSMvQVmmLx35Kd2AqQa6PQ. 10,000 coins

**Marcus Andrade** <ceo@[REDACTED]>

Mon, Mar 5, 2018 at 8:47 AM

To: Jack Abramoff &lt;jack@[REDACTED]&gt;

Let's discuss this. A lot of them already were sent coins.

I need to know what they have done since the last time we sent them coins until today to justify the requested amount.

Thanks,

Marcus

[Quoted text hidden]

**Jack Abramoff** <jack@[REDACTED]>

Mon, Mar 5, 2018 at 9:05 AM

To: Marcus Andrade &lt;ceo@[REDACTED]&gt;

Ted mentioned you might be coming to LA this week. Is that the case? If so, I think you and I need to have a conversation in any event. Meanwhile, below please find information on these.

**From:** Marcus Andrade [mailto:ceo@amlbitcoin.com]

**Sent:** Monday, March 5, 2018 6:47 AM

**To:** Jack Abramoff <jack@abramoff.com>

**Subject:** Re: coins needing to be sent

Let's discuss this. A lot of them already were sent coins.

I need to know what they have done since the last time we sent them coins until today to justify the requested amount.

Thanks,

Marcus

On Mar 4, 2018 7:08 PM, "Jack Abramoff" <jack[REDACTED]> wrote:

1. Jason Beck: Wallet: TTDqacyTwwYyn8etFQfthmX4BEgz668bA. 25,000 coins JASON GOT US THE ACTOR ON THE COMMERCIAL, AND HAS BEEN WORKING TO GET US SET UP IN SOUTH KOREA (NOTHING YET) WHERE HE HAS STRONG CONTACTS; BUT IF YOU RECALL, THESE WERE GOING TO BE COINS FROM MY PERSONAL AMOUNT (WHICH YOU STILL HAVE NOT TRANSFERRED TO ME FOR SOME REASON?) SINCE I OWED HIM MONEY. I TOLD YOU THAT MONTHS AGO. SINCE I HAVE SPENT 100% OF MY TIME ON THIS PROJECT, AND ONLY HAVE RECEIVED FUNDS THAT WERE BECAUSE I BROUGHT THEM IN, I HAVE HAD TO BORROW MONEY TO STAY AFLOAT. JASON WAS KIND ENOUGH TO AGREE TO LEND AND TO ACCEPT ABTC IN RETURN.
2. Bryan Darling: Wallet: TDMRYqNg9fnwPUZPckT3mwcWooWG2KPD2Y. 20,000 coins BRIAN HAS BEEN DOING TONS FOR US, INCLUDING LANDING A NUMBER OF THE PRESS HITS WE GOT FOR THE COMMERCIAL, APPEARING ON THE AIR FOR US, WORKING ON THE SOUTH KOREA/MALAYSIA GUY, MONITORING AND WORKING HARD ON CAPITAL HILL, AND HE HAS GIVEN HIS OWN COINS OUT TO A FEW OF THE WRITERS WHO WROTE FOR US, THERE ARE ALSO SOME OF THE WRITERS HE HAD TO PAY OUT OF POCKET, WHICH HE WILL GET THOSE SUMS TO US, BUT IT'S A TOTAL OF APPROXIMATELY \$13K.
3. Peter Tilden (no wallet yet, but once he has one 15,000 coins) PETER WROTE AND PRODUCED THE COMMERCIAL, AND WAS WILLING TO DO IT FOR COINS INSTEAD OF PAYMENT. HE TOOK TIME AWAY FROM THE TELEVISION SHOW HE IS PRODUCING, CALLED HIT THE ROAD, AND DID A MASTERFUL JOB. THE PROJECT DIDN'T WORK AS WE WISHED, BECAUSE THE MEDIA DIDN'T WANT TO PICK IT UP, PARTICULARLY AFTER THE COIN CENTER ATTACK, BUT PETER DID FANTASTIC WORK FOR US.
4. Beau Rothschild: Wallet: TMrTeitYnCaDaMvjzE9eeHGS2sve18MSHr. 5,000 coins HE HAD WORKED ON OUR DC EFFORTS FOR A WHILE FOR NO PAYMENT AND WE NEED HIM TO HELP ON THE TREASURY FRONT, THOUGH THERE IS ANOTHER FIRM WE NEED AS WELL AND WILL HAVE TO WORK OUT SOMETHING WITH THEM AS WE GET CLOSER. THIS IS MORE OF A TOKEN TO THANK HIM FOR WHAT HE HAS DONE AND KEEP HIM GOING.
5. Eli Zicherman: Wallet: TDgy6CjE9d8vsSMvQVmmLx35Kd2AqQa6PQ. 10,000 coins ELI GOT US JEFF AND HAS STAYED ON THEM FOR OVER 2 MONTHS TO MAKE SURE YOUR TRIP WENT WELL. HE IS ALSO NOW WORKING ON JAPAN FOR US, WHERE HE HAS GREAT CONTACTS.

**Marcus Andrade** <ceo@[REDACTED]>  
To: Jack Abramoff <jack@[REDACTED]>

Tue, Mar 13, 2018 at 10:09 PM

all done. waiting on peter tilden.

thanks

[Quoted text hidden]

--

Marcus Andrade, Founder  
NAC Foundation, LLC  
7495 W. Azure Drive, Suite 110  
Las Vegas, Nevada 89130  
Office: 1-702-515-4038

**Marcus Andrade** <ceo@amlbitcoin.com>

Tue, Mar 12, 2019 at 3:41 PM

[REDACTED]@dlapiper.com>, [REDACTED]@dlapiper.com>



----- Forwarded message -----

From: **Marcus Andrade** <ceo@amlbitcoin.com>

Date: Mon, Mar 5, 2018 at 8:47 AM

Subject: Re: coins needing to be sent

To: Jack Abramoff <jack@abramoff.com>

[Quoted text hidden]

[Quoted text hidden]

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**Marcus Andrade** <ceo@ar[REDACTED]>  
To: Bernadette Tran <Bernadette@a[REDACTED]>

Fri, Mar 15, 2019 at 12:36 PM

[Quoted text hidden]

[Quoted text hidden]

## FEDERAL BUREAU OF INVESTIGATION

Date of entry 05/23/2019

Brian Darling, self-employed political consultant, work address 1015 15th Street, Washington, D.C., cellular telephone number (202) [REDACTED] was interviewed at his office. Also present was Darling's business partner, Beau Rothschild, who was also interviewed separately. Special Agent Quinn recorded the interview and that recording has been placed in the 1D section of the case file as item number 1D54 tracks 4 and 5. Not all of the information on the recordings has been summarized in this report. After being informed of the identities of the interviewing agents and the nature of the interview, Darling voluntarily provided the following information:

**Regarding AML BitCoin opinion pieces:**

About two years ago in the spring or 2017, Jack Abramoff reached out to Darling about AML BitCoin. Abramoff explained that AML BitCoin was a cryptocurrency which was aligned with anti-money laundering laws. This idea seemed interesting to Darling and Darling purchased approximately \$25,000 to \$30,000 worth of AML BitCoin Tokens. That is, Darling was an investor who owned AML BitCoin Tokens and who was invested in the success of the AML BitCoin cryptocurrency. It took about one month between the time Darling learned about AML BitCoin and the time Darling purchased the AML BitCoin Tokens.

Darling has written about AML BitCoin and Darling has appeared on Fox Business News talking about AML BitCoin-related matters. AML BitCoin hired Darling's firm to do public relations for AML BitCoin. Darling never signed a contract with AML BitCoin for this service. Darling was trying to assist AML BitCoin because Darling was invested in AML BitCoin. Darling was never "hired" by AML BitCoin and Darling was never paid for his advocacy of AML BitCoin. Darling had conversations with AML BitCoin about working for the company, but Darling was never formally hired.

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Investigation on 05/06/2019 at Washington D.C., District Of Columbia, United States (In Person)File # 58D-SF-2113481-302 Date drafted 05/11/2019by ROAHN WYNAR, Ethan A. Quinn

58D-SF-2113481-302

(U) Interview of Brian Darling on May 6,

Continuation of FD-302 of 2019

, On 05/06/2019 , Page 2 of 8

Abramoff was an "advisor" for AML BitCoin. AML BitCoin was run by Marcus Andrade. Darling met Andrade on two occasions approximately one year ago well after Darling made the investment in AML BitCoin Tokens. At the time of that meeting Andrade was with Abramoff. Darling does not know Mark Diadamo.

Darling examined the AML BitCoin webpage and read the resumes of the people on the website associated with AML BitCoin. Darling interacted with Mellissa Foteh who was doing public relations for AML BitCoin as a spokeswoman and social media coordinator. Foteh was based in Houston, Texas. Darling's contributions to AML BitCoin's marketing gravitated to placing opinion pieces ("op-eds") in various news outlets. Darling reached out to certain op-ed authors who were on retainer with Darling and Darling asked them to write opinion pieces. For example, Darling called Peter Ferrara and asked Darling asked Ferrara to write an opinion piece. Darling provided Ferrara with the information about AML BitCoin for the opinion piece. Ferrara was a subcontractor to Darling's firm and Darling paid Ferrara as a subcontractor. However, Darling didn't pay Ferrara for any specific article and paid Ferrara on "retainer." Darling's op-ed subcontractors wrote op-eds for Darling if the op-ed subcontractor liked the topic. Peter Roff was one of the writers who was retained by Darling.

Darling provided the op-ed authors with the source materials for their AML BitCoin-related op-eds. All the information transmitted to Darling's op-ed writers came from Abramoff. Darling was still friendly with Abramoff and Darling had no reason to believe any of the information Abramoff provided to Darling was untrue. Darling provided Derek Hunter, Ferrara, Roff, and Chris Versace with information Darling derived from the Internet. Darling also had conversations with Abramoff and derived information about AML BitCoin from Abramoff and Darling provided that information to the op-ed writers as well. For example, Abramoff told Darling about AML BitCoin's activities regarding the Panama Canal. Abramoff told Darling that AML BitCoin had conversations with the Panamanian Government and that there were some opportunities for AML BitCoin related to Panama. These were general conversations that occurred after Darling already purchased AML BitCoin Tokens. The investigating agents read a small part of Ferrara's article regarding "AML BitCoin makes Landfall in Panama" and Darling did not recall assisting Ferrara with that article because the specificity of AML BitCoin's interaction with Panama were unknown to Darling.

# AML BitCoin Post Log

	Date	Author	Platform	Status	Title of Piece	Web Link	Cost
1	8/19/2017	Derek Hunter	Daily Caller	Published	Congress Considering Validating Bitcoin	<a href="http://dailycaller.com/2017/08/19/congress-considering-validating-bitcoin/">http://dailycaller.com/2017/08/19/congress-considering-validating-bitcoin/</a>	\$500.00
2	8/23/2017	Steve Sherman	Townhall	Pubished	AML Bitcoin is the Future of Digital Currency	<a href="https://townhall.com/columnists/stevesherman/2017/08/23/aml-bitcoin-is-the-future-of-digital-currency-n2372303">https://townhall.com/columnists/stevesherman/2017/08/23/aml-bitcoin-is-the-future-of-digital-currency-n2372303</a>	\$500.00
3	10/18/2018	Chris Versace	Forbes	Pubished	PULLED	<b>Pulled</b>	\$1,000.00
4	10/2/2017	Chris Versace	The Street	Published	This New Bitcoin Could Totally Change the Game	<a href="https://www.thestreet.com/story/14325534/1/this-could-flip-the-digital-coin-realm.html">https://www.thestreet.com/story/14325534/1/this-could-flip-the-digital-coin-realm.html</a>	\$5,000.00
5	10/5/2017	Brian Darling	Observer	Published	Soccer-Mom-Friendly AML Bitcoin Will Make Digital Currencies Mainstream	<a href="http://observer.com/2017/10/aml-bitcoin-will-make-digital-currencies-mainstream/">http://observer.com/2017/10/aml-bitcoin-will-make-digital-currencies-mainstream/</a>	\$0.00
6	2/2/2018	Peter Ferrara	American Spectator	Published	New AML Bitcoin Can Shut Down North Korea Abuse of Old Bitcoin	<a href="https://spectator.org/new-aml-bitcoin-can-shut-down-north-korea-abuse-of-old-bitcoin/">https://spectator.org/new-aml-bitcoin-can-shut-down-north-korea-abuse-of-old-bitcoin/</a>	\$750.00
7	2/2/2018	Steve Sherman	Daily Surge	Published	The NFL Has Become A Political Action Committee	<a href="http://dailysurge.com/2018/02/nfl-become-political-action-committee/">http://dailysurge.com/2018/02/nfl-become-political-action-committee/</a>	\$300.00
8	2/2/2018	Derek Hunter	Daily Caller	Published	NFL Rejects Super Bowl Ad Because It Mocks Kim Jong-Un	<a href="http://dailycaller.com/2018/02/02/nfl-rejects-super-bowl-ad-because-it-mocks-kim-jong-un/">http://dailycaller.com/2018/02/02/nfl-rejects-super-bowl-ad-because-it-mocks-kim-jong-un/</a>	\$500.00
9	2/3/2018	Steve Sherman	Townhall	Published	What is Wrong with the NFL?	<a href="https://townhall.com/columnists/stevesherman/2018/02/03/what-is-wrong-with-the-nfl-n2443670">https://townhall.com/columnists/stevesherman/2018/02/03/what-is-wrong-with-the-nfl-n2443670</a>	\$500.00
10	2/3/2018	Dan Perkins	NewsMax	Published	The NFL Is Against Free Speech at Super Bowl	<a href="https://www.newsmax.com/danperkins/nfl-super-bowl-free-speech-amvets/2018/02/03/id/841264/">https://www.newsmax.com/danperkins/nfl-super-bowl-free-speech-amvets/2018/02/03/id/841264/</a>	\$250.00
11	2/4/2018	Seton Motley	Red State	Published	Super Bowl: NFL Prohibits Another TV Ad – Blocking For North Korea’s Communist Kim Jong-Un	<a href="https://www.redstate.com/setonmotley/2018/02/04/super-bowl-nfl-prohibits-another-tv-advertisement-blocking-kim-jong-un/">https://www.redstate.com/setonmotley/2018/02/04/super-bowl-nfl-prohibits-another-tv-advertisement-blocking-kim-jong-un/</a>	\$1,500.00
12	2/6/2018	Bruce Fein	Washington Times	Published	Let government money compete with cryptocurrencies	<a href="https://www.washingtontimes.com/news/2018/feb/6/let-bitcoin-other-cryptocurrencies-compete-governm/">https://www.washingtontimes.com/news/2018/feb/6/let-bitcoin-other-cryptocurrencies-compete-governm/</a>	\$500.00
13	2/9/2018	Peter Ferrara	Cheddar	Interview	Washington Weighs in on Crypto	<a href="https://cheddar.com/videos/washington-weighs-in-on-crypto">https://cheddar.com/videos/washington-weighs-in-on-crypto</a>	\$750.00
14	2/8/2018	Brian Darling	Investor's Business Daily	Published	The Coming Cryptocurrency Lobbying War	<a href="https://www.investors.com/politics/commentary/the-coming-cryptocurrency-lobbying-war/">https://www.investors.com/politics/commentary/the-coming-cryptocurrency-lobbying-war/</a>	\$0.00
15	2/24/2018	Peter Ferrara	Barrons/Bloomberg	Submitted			\$750.00
						<b>TOTAL LGA EXPENDITURES</b>	\$12,800.00



# AML BitCoin Token Log

	Date	Recipient	Tokens	Notes
1	10/11/2017	Brian Darling	25,000.00	Recd. 25K Tokens
2	12/26/2017	Brian Darling	25,000.00	Recd. 25K Tokens
3	1/9/2018	Beau Rothschild	(1,000.00)	Compensation for helping out.
4	1/9/2018	Beau Rothschild	(10,000.00)	Gift
5	1/9/2018	Brian Darling	(5,400.00)	Contribution
6	1/12/2018	Chase Kroll	(10,000.00)	Gift
7	1/18/2018	Chris Versace	(1,000.00)	Compensation for posting.
8	1/30/2018	Derek Hunter	(1,000.00)	Compensation for posting.
9	1/31/2018	Christian Josi	(10,000.00)	Compensation for NFL project promotion (helped pitch Drudge.)
10	2/14/2018	Jason Osborne	(1,000.00)	Compensation for helping out.
				Total expenditure of tokens - 39,400.00
		<b>Total</b>	10,600.00	

H18 =SUM(H3:H17)

	A	B	C	D	E	F	G	H
4	2	8/23/2017	Steve Sherman			Digital Currency	<a href="https://townhall.com/columnists/stevesherman/2017/08/23/aml-bitcoin-is-the-future-of-digital-currency-n2372303">https://townhall.com/columnists/stevesherman/2017/08/23/aml-bitcoin-is-the-future-of-digital-currency-n2372303</a>	\$500.00
5	3	10/18/2018	Chris Versace				<b>Pulled</b>	\$1,000.00
6	4	10/2/2017	Chris Versace			lly Change the Game	<a href="https://www.thestreet.com/story/14325534/1/this-could-flip-the-digital-coin-realm.html">https://www.thestreet.com/story/14325534/1/this-could-flip-the-digital-coin-realm.html</a>	\$5,000.00
7	5	10/5/2017	Brian Darling			itcoin Will Make Digital	<a href="http://observer.com/2017/10/aml-bitcoin-will-make-digital-currencies-mainstream/">http://observer.com/2017/10/aml-bitcoin-will-make-digital-currencies-mainstream/</a>	\$0.00
8	6	2/2/2018	Peter Ferrara			it Down North Korea	<a href="https://spectator.org/new-aml-bitcoin-can-shut-down-north-korea-abuse-of-old-bitcoin/">https://spectator.org/new-aml-bitcoin-can-shut-down-north-korea-abuse-of-old-bitcoin/</a>	\$750.00
9	7	2/2/2018	Steve Sherman			ical Action Committee	<a href="http://dailysurge.com/2018/02/nfi-become-political-action-committee/">http://dailysurge.com/2018/02/nfi-become-political-action-committee/</a>	\$300.00
10	8	2/2/2018	Derek Hunter			because It Mocks Kim	<a href="http://dailycaller.com/2018/02/02/nfi-rejects-super-bowl-ad-because-it-mocks-kim-jong-un/">http://dailycaller.com/2018/02/02/nfi-rejects-super-bowl-ad-because-it-mocks-kim-jong-un/</a>	\$500.00
11	9	2/3/2018	Steve Sherman			FL?	<a href="https://townhall.com/columnists/stevesherman/2018/02/03/what-is-wrong-with-the-nfi-n2443670">https://townhall.com/columnists/stevesherman/2018/02/03/what-is-wrong-with-the-nfi-n2443670</a>	\$500.00
12	10	2/3/2018	Dan Perkins			ch at Super Bowl	<a href="https://www.newsmax.com/danperkins/nfi-super-bowl-free-speech-amvets/2018/02/03/id/841264/">https://www.newsmax.com/danperkins/nfi-super-bowl-free-speech-amvets/2018/02/03/id/841264/</a>	\$250.00
13	11	2/4/2018	Seton Motley			another TV Ad – Blocking	<a href="https://www.redstate.com/setonmotley/2018/02/04/super-bowl-nfi-prohibits-another-tv-advertisement-blocking-kim-jong-un/">https://www.redstate.com/setonmotley/2018/02/04/super-bowl-nfi-prohibits-another-tv-advertisement-blocking-kim-jong-un/</a>	\$1,500.00
14	12	2/6/2018	Bruce Fein			pete with	<a href="https://www.washingtontimes.com/news/2018/feb/6/let-bitcoin-other-cryptocurrencies-compete-governm/">https://www.washingtontimes.com/news/2018/feb/6/let-bitcoin-other-cryptocurrencies-compete-governm/</a>	\$500.00
15	13	2/9/2018	Peter Ferrara			ypto	<a href="https://cheddar.com/videos/washington-weighs-in-on-crypto">https://cheddar.com/videos/washington-weighs-in-on-crypto</a>	\$750.00
16	14	2/8/2018	Brian Darling			Lobbying War	<a href="https://www.investors.com/politics/commentary/the-coming-cryptocurrency-lobbying-war/">https://www.investors.com/politics/commentary/the-coming-cryptocurrency-lobbying-war/</a>	\$0.00
17	15	2/24/2018	Peter Ferrara	Barrons/Bloomberg	Submitted			\$750.00
18							<b>TOTAL LGA EXPENDITURES</b>	\$12,800.00

FBI-00083481 LOG OF ARTICLE WRITERS JACK USED (1) Properties

General Digital Signatures Security Details Previous Versions

Property Value

Categories

Comments

Origin

Authors Microsoft Office User

Last saved by Brian Darling

Revision number

Version number

Program name Microsoft Macintosh Excel

Company

Manager

Content created 6/29/2017 4:20 PM

Date last saved 2/26/2018 3:30 PM

Last printed

Content

Content status

Content type application/vnd.openxmlformats-officedoc...

Scale

Links dirty?

Language

Remove Properties and Personal Information

OK Cancel Apply

Osborne-Abramoff

08/08/2019 17:46:31

And part of it entails hiring trumps attorney in Florida

👉

08/08/2019 18:27:02

:  
sounds good. just let me know what I can do. Also, if we can get stupid ass Marcus to sell the company, I plan to spend a ton through a super pac for Corey if he runs, and Trump for sure.

08/08/2019 18:27:09

:  
and on your campaign to get rich!

08/08/2019 18:27:11

:  
hahaha

08/08/2019 18:27:28

Ha. Did you see the tweet I sent you?

👉

08/08/2019 18:27:43

:  
the tweet?

08/08/2019 18:27:57

<https://twitter.com/amilbitcoin/status/1158801851938158544?s=12>

👉

08/08/2019 18:27:57





Marcus Andrade &lt;ceo@amlbitcoin.com&gt;

---

**Uphold**

**Japheth Dillman** <jdillman@██████████>  
To: Jack Abramoff <jack@██████████>  
Cc: Marcus Andrade <ceo@amlbitcoin.com>

Fri, Sep 22, 2017 at 9:15 PM

Hi Jack,

I know you're out of touch, so you'll see this when you come back...

But Leslie called Colin at Uphold and basically used this letter as a script. She didn't want a paper trail because when the port is ready to accept cryptocurrency, being a government run entity, it will have to open it up for bid. If this were to come to light in writing it would exclude AML BitCoin from bidding as it might show potential favoritism. So, we decided that she was fine with basically saying the exact same thing to Colin in a call rather than in written form. ;)

Cheers,

On Wed, Sep 20, 2017 at 3:49 PM, Jack Abramoff &lt;██████████&gt; wrote:

Hi Japheth,

I just chatted with Marcus. As you know, [uphold.com](http://uphold.com) is listing the coin, and will be the exchange handling the ICO. They are going to announce this in the next few days, which should be a great media pump for us. IT WOULD BE A HUGE HELP if Leslie would be willing to send an email to Colin Luce from Uphold asap. He's San Fran based and would be blown away hearing from Leslie. Can you try to get her to do it? here is what we would hope she would email to him, and his contact info below. Please have her send you a copy, and you send it to Marcus and me when you can. Thanks!!

Email to Colin Luce  
(Colin@██████████)

Dear Colin,

I have heard of the great confidence that the AML Bitcoin team has in your company Uphold and, in particular, in your CEO Anthony Watson. As you may know, as commissioner of the Port of San Francisco, I have had very productive meetings with the AML Bitcoin representatives, including their CEO, Marcus Andrade. I also understand that Uphold may be working with the AML Bitcoin team in their effort to provide an AML compliant payment structure for the Panama Canal, and I look forward to hearing how we at the Port of San Francisco might work with you both on this exciting and groundbreaking project, as we proceed with our consideration of this cutting edge digital currency.

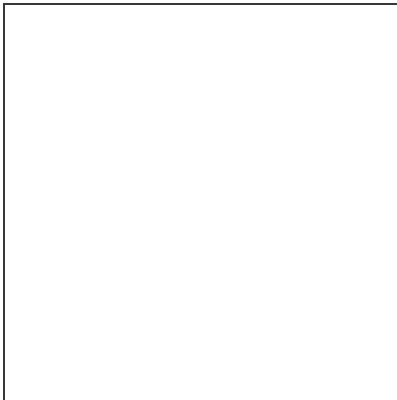
Thank you for basing your US operations in San Francisco. I look forward to meeting you and please do not hesitate to let me know if there is anything we can do to facilitate this monumental partnership.

Sincerely,

Leslie Katz  
Commissioner  
Port of San Francisco

---

**Japheth Dillman**  
CEO & Co-Founder



Mobil

[REDACTED]

- 1 of 1 -

FD-302 (Rev. 5-8-10)

## FEDERAL BUREAU OF INVESTIGATION

Date of entry 03/16/2020

The purpose of this report is to memorialize the continued examination of evidence item 1B13, a thumbdrive recovered during the search of 812 Edelblut Drive, Silver Spring, Maryland. The initial examination of item 1B13 has been described in Serial -302-154 of the case file. Evidence item 1B13 was provided to the Silicon Valley Regional Computer Forensics Laboratory who processed the evidence. This processing recovered several deleted files on the thumbdrive.

In particular, the root director of this thumbdrive contained some court filings associated with the bankruptcy proceedings of CS Mining. Also deleted from the root directory of this thumbdrive was a collection of approximately 20 articles regarding James Raidy, his conviction on bribery charges, and his connection to associates of President Clinton.

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Investigation on 12/28/2018 at Monterey, California, United States (, Other (Document review))File # 58D-SF-2113481-302 Date drafted 12/28/2018by ROAHN WYNAR, Ethan A. Quinn

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

ROWLAND MARCUS ANDRADE,

Defendant-Appellant.

Case Nos. 25-5095; 25-6056; 25-6507

D.C. No. 3:20-cr-00249-RS-1

Northern District of California,  
San Francisco

**DEFENDANT’S MOTION TO USE  
STOCK ASSETS AND CONDUCT  
PUBLIC FUNDRAISER FOR  
SPECIALIZED COUNSEL AND  
FAMILY SUPPORT**

---

**EXHIBIT -D**

**DEFENDANT’S OCTOBER 6, 2024 REQUEST FOR COUNSEL  
WITH NATIONAL SECURITY, COUNTERINTELLIGENCE, &  
FOREIGN REGISTRATION ACT EXPERIENCE**

September 6, 2024

Honorable Judge [REDACTED]  
San Francisco Courthouse,  
[REDACTED]  
450 Golden Gate Avenue,  
San Francisco, CA 94102

Re: *Request for Additional Appointment of Counsel with National Security, Counter Intelligence, & Foreign Registration Act experience.*  
*United States v. Rowland Marcus Andrade*  
*Case No. CR 20-00249 RS (JS)*

Honorable Judge [REDACTED]

I had requested an ex parte hearing in order to discuss my request for the appointment of additional counsel since my case involves areas of the law (National Security Matters, Counter Intelligence, and Foreign Agent Registration Act) that my current counsels don't specialize in. One of the reasons that I had requested the ex parte hearing without my CJA counsels being present was that if they were there, they might be required to provide examples of their limitations regarding issues that also relate to national security, counterintelligence, and the Foreign Agent Registration Act, and their statements may cause unnecessary disagreements between their respective law firms, potentially hurting my defense.

My CJA attorneys are grappling with this area of the law, which includes issues regarding undercover government employees. The CJA counsels are attempting to learn this area of the law quickly, which is leading to delays in discovery review, pretrial motion work, witness folder generation, and overall trial preparation. For example, one of my CJA counsels has been working on a related motion for 6 months already, and this area of the law is very complicated for persons that don't specialize in it.

My CJA counsels are still trying to figure out how they can make adequate time to review the 100 boxes of documents the government has recently provided for examination at the FBI offices next week, as well as their pretrial motions, given the fact that they are having to spend a lot of time trying to learn about an area of law that they don't specialize in. We believe that the 100 boxes of documents also contain Mr. Jack Abramoff's informant file, which would disclose all of the unlawful actions in which the government authorized and which conducted they didn't. Therefore, these 100 boxes need to be properly reviewed by them. Our case file contains over 4 TB of data, which my CJA counsels are still trying to go through.

There are a variety of reasons for my request to appoint counsel with experience in national security, counterintelligence, and the Foreign Agent Registration Act.

1. In our case, the discovery confirms that Abramoff was involved in a foreign counterintelligence operation.

2. In my case, the government recently initiated CIPA proceedings after the National Security Agency directed them to do so.
3. The findings in our case confirm that Jack Abramoff, a longstanding government informant, misused one of my company's digital currencies, amltokens, to engage in international money laundering. Abramoff and his miscreants engaged in an illegal U.S. lobbying campaign, including, but not limited to, interfering in the presidential election, setting up President Biden for criminal activity, cutting off US support for Ukraine, destabilizing the Ukrainian government, and eliminating a group of politicians and journalists that they referenced as the "Schindler's List." Please see Section 6 of the Appendix, which is at the end of this letter.
4. Furthermore, the Honorable Judge Beeler has previously determined that Mr. Paul Erickson, Maria Butina, and Alexander Levin are relevant to my case. Discovery confirms that Mr. Erickson works for the CIA. According to an ID-39 recording, Mr. Erickson has a security clearance, had access to the White House, and was on President Donald Trump's Presidential Transition team. Additionally, Butina's residence contained documents related to me, my company, and my assets. Ms. Butina admitted to being a Russian spy.
5. I have reviewed a surveillance log that classified me as a "National Threat Band -1." (FBI-Main-0001084) Based on this and communications with attorneys regarding this category, we believe it means that I have been listed as a threat to national security, and Band Level 1 is the highest category a person can be listed as. I'm not a threat to national security, and surely this category may have been given to me because Abramoff is a prime candidate for a FISA application, and he may have wrongly used my name when communicating with others. It is also possible that it had to do with the documents relating to me that were found in Butina's home.

I humbly ask the Honorable Judge Spero:

1. Without a hearing, issue an ex parte bench ruling regarding my request for additional counsel who specializes in national security, counterintelligence, and the Foreign Agent Registration Act.
2. If the court is reluctant to issue a bench order, then allow me to present these issues to the court, but with greater detail, with only one of my two CJA-appointed firms present.

[REDACTED]

Thank you.

*Marcus Andrade*  
Rowland Marcus Andrade

## Appendix A

1. In January 2017, Abramoff had several messages with Natko Vlahovic. Abramoff also sent Natko Vlahovic a recording in which he discussed collecting money from friends of Russian President Putin. Vlahovic is a lobbyist who resides in Croatia. The recording was referenced as “bone chilling” during the last 2022 hearing with Judge Spero in 2022.
  - a. On January 28, 2017, Abramoff sends Natko Vlahovic a copy of a recording of Abramoff regarding a Pro Russia Lobbying pitch. Abramoff then writes,
    - i. *“Natko, please find a recording of the pitch I recommend. Please listen to it and then let's chat. let me know what you think, or if you need more. Thanks.”*
  - b. On January 29, 2017, Natko says,
    - i. *“I listened to a recording several times. I get the broad strategy of what is being offered. What I think I need additionally is a 10-point written plan with a good headline which I want to use in reaching some top managers and assistants in big Russian companies in Moscow. This one pager would clearly outline the lay of the land in Washington, some of the key figures and possible outcomes we will go after. What do you think?”*
  
2. In August 2017, Abramoff had communications with oligarch Gennadiy Bogolyubov (GB), who is oligarch Ihor Kolomoisky’s partner, and also with Gennadiy’s assistant Mordechai Korf.<sup>1</sup>
  - a. On August 3, 2017, Abramoff tells Gennadiy,
    - i. *“Ok. Thanks. Let me know when you want to proceed with our plan. Best, Jack.”*
  - b. On August 10, 2017, Abramoff messages Mordechai Korf and says,
    - i. *“I spoke yesterday with GB. Our LA company will do a consultancy with your company regarding digital currencies, providing investment guidance and opportunities. The consulting fee will be \$1.5 million. Please let me know whether you can pay it at once, or if you need to pay over time (and in that case, what the schedule is). You will receive a W9 from the LA company - **Landfair Capital Consulting, Inc.** - and have a business expense for the consulting effort. Landfair will provide periodic written reports as well. Please let me know if this comports with your understanding and what you anticipate the schedule of payments will be. I will then get **Landfair** to issue an invoice to you with wire transfer info. Thanks”* Moti replies that he will get back to Jack tomorrow.

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<sup>1</sup> <https://www.miamiherald.com/news/local/community/miami-dade/miami-beach/article258399503.html>



3. From August 2017 to September 2017, Abramoff had several communications, including with Roger Engone, who works at an African Embassy in Washington, D.C.; Natko Vlahovic, who resides in Croatia; Neil Sunkin, whom Abramoff convinced Andrade to hire as his attorney; and Alex Prasiavi. Carlos Delaguardia and Alex Prasiavi, two Abramoff associates, also had communications; Delaguardia resides in Panama. Prasiavi lives in Georgia, a Russian-controlled province.
  - a. On August, 28, 2017, Abramoff says to Engone:
    - i. *“Mr. Marcus Andrade” and “NAC Foundation, LLC”. Engone responds and says, “Thanks got it.”*
  - b. On September 2, 2017, Natko Vlahovic asks Abramoff,
    - i. *“Which platform are we going to use for AML's ICO 1st October? Thanks.”*
  - c. On September 25, 2017, Carlso DelaGuardia sends Alex Prasiavi an email with the title, “AML-Bitcoin Angola”.
  - d. On October 10, 2017, during the start of Andrade’s Initial Coin Offering, Abramoff writes to Engone and says,
    - i. *“We will use digital currencies (bitcoin) to get this done. in particular, we’ll use **AML Bitcoin** (AML), which is the only digital currency that is designed to be accepted by governments. Here is the procedure:*
      1. *There have to be at least 2 Angolan participants*
      2. *Each participant will designate to RE the Angolan bank (where they have deposits) that they will be using to participate in transaction*
      3. *The participants need to confirm to RE that the Angolan bank can make a transfer to a US account on behalf of Participants, in South African Rand. Assuming the bank can do so...*
      4. *Each Participant will send RE their passport (clear jpg file)*
      5. *Each will sign a contract (attached) with **Marcus Andrade and NAC Foundation** (owners of the AML) to do a test run transfer of coins*
      6. *The test run will be \$1M for each Participant, which will be wired to an attorney trust account in the US (the account information will be available if the transaction proceeds). The funds will be held in that escrow account until the transaction proceeds. If it cannot proceed, the attorney will return the funds to the Participants’ bank account.*
      7. *After receipt of signed contracts, passports and confirmation of wire to attorney trust accounts, AML will run KYC (know your customer) check to ensure participants are not on OFAC or terror watch lists.*
      8. *Assuming participants are clear, funds will clear to AML from attorney trust accounts; AML will set up participants’ **AML Bitcoin** wallets (deposit accounts); \$1M in AML will be deposited into each wallet.*

9. Phase 2: AML will sell \$100M of AML (75M total coins) to Participant number 1 (P1). P1 will wire \$100M to AML account, after which AML will deposit 75M AML in P1 wallet.
10. Participant 2 (P2) will buy 75M AML from P1 for \$100M (or market price – coin price will increase based on market) (through a digital coin exchange that AML will arrange for participants, likely HIT btc).
11. P1 will receive \$100M (or sale price) for sale.
12. P1 will transfer 75M AML into P2 wallet.
13. P1 will deposit \$100M (or sale price) into P1 Dubai Account – minus fee to RE (20% of funds deposited in P1 Dubai account, to be paid to RE account)
14. P1 will then buy 75M AML from P2 (through a digital coin exchange, likely HIT btc) for new Rand funds wired from Angola bank, wired to AML for P2's account [price will be market price; the higher the price the more P1 and P2 can transfer]
15. P2 will transfer 75M AML to P1 wallet; P2 will deposit sales price (\$100M plus market price increase) in P2 Dubai account - minus fee to RE (20% of funds deposited in P2 Dubai account, to be paid to RE account).
16. Process repeats
17. This approach could enable deposits of more than **US\$1B per month** in each Dubai account”

- e. On October 18, 2017, Engone says to Abramoff,
    - i. “Can we get a draft contract tomorrow!” Abramoff then says, “I’m waiting to hear from **Carlos**, who is meeting this afternoon with the attorneys in Panama.”
  - f. On October 25, 2017, Abramoff sends Sunkin a word document titled, “**CONTRATO SERVICIOS Zentrum Angola a.doc.**” It’s a contract to illegally exchange Angola dollars to US currency. The president of Zentrum is Andrade’s VP of Latin American affairs, Carlos Delaguardia, who handled all of Andrade’s communications with the Panama Canal and even authored the Panama press releases.
  - g. On October 25, 2017, Jack says to Natko Vlahovic,
    - i. “hi Natko. have you set up an AML Bitcoin wallet?”
  - h. On October 25, 2017, Abramoff sends Engrone a contract titled as, “**CONTRATO SERVICIOS Zentrum Angola a.doc.**”
  - i. On October 26, 2017, Engrone tells Abramoff,
    - i. “I just spoken with Emery. Kwanzaa’s draft will be amended and send back to Carlo, he wish to get the whole thing before doing so.” Abramoff then sends Engone an image of Carlos Delaguardia’s passport.
4. Messages between Abramoff and Andrade in December 2017 support Abramoff telling Andrade to use a commercial Panamanian bank account controlled by Carlos Delaguardia for NAC’s Initial Coin Offering.

- a. On December 28, 2017, Abramoff tells Andrade,
  - i. “Carlos has a new company with a commercial account and is offering to let us use it. call when you can.”
- b. On December 28, 2017, Abramoff says to Andrade,
  - i. “Please call when you can. I might have something on the Super Bowl investor.”
- c. On December 28, 2017, Abramoff says to Andrade
  - i. “Carlos is asking whether we need to use his account. do you know yet?”
- d. On December 29, 2017, Abramoff tells Andrade,
  - i. “What is the status of our need for Carlos’s account?”
- e. On December 31, 2017, Abramoff sends a document to Andrade called,
  - i. “PAC List.” The document lists various names and companies of lobbyists. “Brian Darling 4505 N Chelsea LN, Bethesda, MD 20184 Lobbyist Liberty Government Affairs, Beau Rothschild 541 25th Pl NE Washington DC 20002 Lobbyist Rothschild policy and politics, Chase Kroll 28 K St SE #1003 Washington, DC 20003 Lobbyist Kroll Global, LLC, Tripp Baird 637 25th Street S. Arlington, VA 22202 Lobbyist Off Hill Strategies.”
5. In January 2018, Abramoff had communications with Alex Praisiac and Richard Naimer. Richard Naimer who is an Abramoff proxy, also worked on the Aml Bitcoin project. Mr. Naimer is an Israeli Intelligence Officer.
  - a. On January 2, 2018, Abramoff emails Alex Prasiavi who resides in the Russian backed country of Georgia and says,
    - i. “Any progress on the Super Bowl ad front?”
  - b. On January 8, 2018, Abramoff writes to Richard Naimer and says,
    - i. “*Angolan Deal Notes – 1/8/2018*  
  
*-The Sultan of Johor Bahru would be approving the transaction as a business investment for the receiving banks records. The Sultan of Johor Bahru owns or is part owner in the developments that the 10% would be purchasing the real estate. The money would be deposited into the banks in the UAE that the Sultan of Johor Bahru already has accounts in so that there is no “overseas remittance” guidelines. The banks that he is working with also have branches in London, England and Amsterdam, Netherlands that can accept the funds and transfer to the Sultan of Johor Bahru’s accounts in those countries. Therefore, no “overseas remittance”.*  
  
*They need to make a case to the bank that this is all for “investment purposes” which the Sultan of Johor Bahru would sign off on. The*

*paperwork would say that we would be “eventually” investing up to \$150 Million USD in Johor Bahru, but we would only have to invest \$50 Million USD. There is another option through Jakarta Indonesia, but it is more complex and would also be for a smaller amount of money. This could be the next option.*

*All the banks understand that the funds will be coming arriving in Angolan Kwanza Cash Notes. At this time, Mr. Weng Kee Leong has confirmed with all 4 banks that they are ready to move to the next step which would be ascertaining the exchange rate, but to move forward they will need some sort of Memo of Understanding (MOU) so that Mr. Weng Kee Leong can start to finalize the negotiations. So that we are all on the same page ... Mr. Weng Kee Leong would like to have this all completed no later than February 1, 2018 and feels that it could be completed by that time.”*

6. Messages between Abramoff and Alexander Levin<sup>2</sup>, including statements Abramoff made to the government.<sup>3</sup>
  - a. On May 24, 2018, according to statements Abramoff made to the government on February 25, 2020, “Abramoff sent a text message to Levin regarding a plan for the US PR effort. Levin suggested that Abramoff travel to Geneva to meet with some of the people interested in the US PR effort. Since Levin agreed to pay for Abramoff’s travel, Abramoff traveled to Geneva on approximately May 29, 2018, and stayed at the Ritz Carlton Hotel.” Abramoff further stated that, “Levin led Abramoff into the conference room and Kolomoyskyi joined them. Kolomoyskyi did not speak English and Levin acted as an interpreter. Levin asked Abramoff to present Abramoff’s proposed plan for the US PR effort.” Abramoff then gave a presentation to Kolomoisky. “Levin made it clear that Levin and Kolomoisky shouldn’t be exposed.” **Abramoff and Levin discussed AML Bitcoin**, a contract, and an invoice. Abramoff stated that Levin needed to get with Kolomoisky to determine who the client would be. Abramoff stated that the Biden information was also sent out by Lev Parnas and Igor Fruman. See FBI-302-005432. According to Ihor Kolomoisky, both Lev Parnas and Igor Fruman claimed that Levin owned them \$2M-\$3M dollars. See 058D-SF-2113481-302\_0000376\_140000326\_0000004.
  - b. On May 31, 2018, Abramoff wrote, “**BIG: US ambassador; Biden connection. LA: get me sins of US Ambassador. Michael Cohen payment from P was a set up:**

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<sup>3</sup> See FBI-302-005432, FBI-302-001959, FBI-302-005086, FBI-302-005158, FBI-Main-0001069, FBI-Main-0001070, FBI-Main-0001071, FBI-Main-0001072, FBI-Main-0001073, FBI-Main-0001074, FBI-Main-000075, FBI-Main-0001076, and FBI-Main-0003909, which are summaries of communications, documents from Abramoff’s home, his mobile device, and his messages with Alexander Levin. <https://deadline.com/2017/07/ignition-creative-teams-jack-abramoff-reality-series-bitcoins-1202139371/>

*play this. UA aid cut off/export”* While going into a bit more detail, Abramoff then scribbled, *“Michael Cohen payment was to create problem for Trump-order of Biden-Nuland-Cohen-Sucker-Setup.”* See FBI-Main-0001069, FBI-Main-0001070, FBI-Main-0001071, FBI-Main-0001072, FBI-Main-0001073, FBI-Main-0001074, FBI-Main-0001075, and FBI-Main-0001076. On the same day, Abramoff told Levin, *“Also, I was thinking that, as an alternative, we could probably just combine the payments into one payment for \$700,000 and just it all as “development” for the sow (and cover the other costs that way), and eliminate Landfair from the process. It seems to me that the tv show development would be cleaner, from this site. But either way is good for us.”* See FBI-Main-0003909.

- c. On June 3, 2018, Abramoff sent a message to Levin and stated, *“My guys will be meeting at WH on ambassador on Wednesday morning. Can you get me anything you might have on the current ambassador by Tuesday?”* After exchanging links to news articles, Abramoff then wrote, *“Is there any way to get something reported anywhere about how the US ambassador told the Israelis to jump in the lake on this? If we could get something, anything, anywhere, that would really be helpful. We don't have anything linking Yovanovitch to this.”*
- d. On July 15, 2018, Abramoff wrote to Levin, *“Let me know what you think of the **alternative approach** when you can. If you want to do that, I'll get you a different Term Sheet and we can ignore the **Landfair** stuff.”*
- e. On July 19, 2018, Levin sends Abramoff over ten names of people and journalists that they referred to as the *“Schindler's List.”* The Schindler's List is a group of Ukrainians that needed to be eliminated.
- f. On August 28, 2018, Abramoff sent Levin the sizzle reel to the **tv show** about **Andrade**. See FBI-302-005086 and FBI-Main-0003909.
- g. On February 25, 2020, Abramoff was also interviewed by his handlers FBI Agents Nathan Quinn who also goes by Ethan Quinn, and Rohan Wynar that also goes by Roahn Wynar. According to the agents notes of the interview, Abramoff confirmed that all of his handwritten notes regarding Andrade, Aml Bitcoin, Biden, Michael Cohen, Removing the Ambassador, etc., were notes that was taken during his meeting with Kolomoisky while Levin was interpreting since Abramoff didn't speak Ukrainian, and that the **TV production company had to do with Aml Bitcoin**. Abramoff's handlers never included these statements in their witness report. See FBI-302-005459. The Abramoff notes are also referenced in FBI Agent Johnathan Buma's report. See FBI-Main-0001069, FBI-Main-0001070, FBI-Main-0001071, FBI-Main-0001072, FBI-Main-0001073, FBI-Main-0001074, FBI-Main-00075, FBI-Main-0001076. **FBI Agent Johnathan Buma, is now a whistleblower.** They are also referenced in the Dana Rohrabacher recorded 2019 interview, where the agents confirm that Heritage Foundation was also working with Abramoff. See FBI-ELSUR-004454, FBI-ELSUR-004455, FBI-ELSUR-004456, and ID-67.

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

**UNITED STATES OF AMERICA,  
Plaintiff,**

**VS.**

**ROWLAND MARCUS ANDRADE,  
Defendant.**

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§  
§  
§

CASE NO. CR 20-00249 RS (JS)


**DECLARATION OF MARCUS  
ANDRADE IN SUPPORT OF  
REQUEST FOR APPOINTMENT  
OF COUNSEL WITH  
EXPERTISE IN NATIONAL  
SECURITY AND THE FOREIGN  
AGENT REGISTRATION ACT.**

**DECLARATION OF ROWLAND MARCUS ANDRADE**

Rowland Marcus Andrade, the defendant in the above-captioned action, states as follows:

1. I am over 18 years of age.
2. I can confirm that the quotations listed in the appendix of the September 9, 2024 letter to the Honorable Judge Spero are accurate excerpts from communications between Jack Abramoff, his associates, and others. To make it easier to identify, the quotations are bolded.
3. I swear under the threat of perjury, the truthfulness of statements made in this declaration.

Date: September 6<sup>th</sup>, 2024

  
\_\_\_\_\_  
Rowland Marcus Andrade



**RE: United States v. Rowland Marcus Andrade, 20-CR-00249**

From DOJReform <DOJReform@protonmail.com>  
To Diana Weiss <Diana\_Weiss@cand.uscourts.gov>  
Date Friday, September 6th, 2024 at 4:57 PM

Dear Ms. Weiss:.

Attached is a letter to the Honorable [REDACTED]

I request the filing of this letter and its attachments on the record via ex parte, limiting access to only the court. The letter and its attachments would reveal our trial strategy if the public or government saw them.

Please note that I'm not complaining about anything. I appreciate the jobs that my counselors are doing. I just know that they need assistance in the area relating to national security, counterintelligence, and the Foreign Agent Registration Act.

[REDACTED]

Thank you,

Marcus Andrade

Sent with [Proton Mail](#) secure email.

On Thursday, September 5th, 2024 at 3:23 PM, DOJReform <DOJReform@protonmail.com> wrote:

Dear, Ms. Weiss,

Thank you for your email.

I'm preparing a response for you. I will have it to you no later than tomorrow afternoon.

Thank you.

Rowland Marcus Andrade

Sent with [Proton Mail](#) secure email.



On Wednesday, September 4th, 2024 at 1:42 PM, Diana Weiss <Diana\_Weiss@cand.uscourts.gov> wrote:

Dear Mr. Andrade,

I am in receipt of your email. Your email references "the appointment of counsel, and how it relates to national security matters."

This is somewhat cryptic. I need additional information as to exactly what issues you would like the Court to address.

Additionally, given that you are represented by counsel, he cannot meet with you without counsel being present.

Please let me know how you wish to proceed, Diana



Diana L. Weiss (she/her)

CJA Supervising Attorney

450 Golden Gate Avenue

16th Floor

United States District Court

Northern District of California

<https://cand.uscourts.gov>

[diana\\_weiss@cand.uscourts.gov](mailto:diana_weiss@cand.uscourts.gov)

[REDACTED]

[REDACTED]

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**From:** DOJReform <DOJReform@protonmail.com>

**Sent:** Wednesday, September 4, 2024 2:29 AM

**To:** Diana Weiss <Diana\_Weiss@cand.uscourts.gov>

**Subject:** United States v. Rowland Marcus Andrade, 20-CR-00249

**CAUTION - EXTERNAL:**

Hello, Ms. Weiss,

I'm reaching out to you in an attempt to arrange an ex parte hearing between the Honorable [REDACTED] and myself, without the involvement of my CJA counsels or the government, to discuss matters that require his attention including the appointment of counsel, and how it relates to national security matters.

Almost a week ago, I sent an email to my CJA counsels, asking them to request the hearing on my behalf. However, they believed I had already made the request, as I had copied you on that email, and therefore, they didn't need to take any further action.

If the court grants my request for an ex parte hearing without the government or my CJA counsels, I would also ask for permission to email the court a few documents for review before the hearing.

I would prefer a Zoom hearing, but I can also conduct an in-person one. The issue with the in-person hearing is that my travel and hotel expenses would end up taking food off the table for me and my family for the month of October.

[REDACTED]  
[REDACTED]  
[REDACTED] I'm even very scared about making any requests since I'm not trying to upset the Honorable Judge Seeborg.

Thank you,

Rowland Marcus Andrade

[paul-erickson-and-a-u-s-ukraine-businessman-with-oligarch-ties/2023/06/26/](https://paul-erickson-and-a-u-s-ukraine-businessman-with-oligarch-ties/2023/06/26/)

Sent with [Proton Mail](#) secure email.

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

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**15.48 MB** 4 files attached 1 embedded image

image001.jpg 5.85 KB

Letter to Honorable Judge Spero 09062024.pdf 336.86 KB

Andrade Decl..pdf 36.46 KB

CTA.zip 14.23 MB

Buma Report with Attachments.zip 903.61 KB

UNCLASSIFIED

# FEDERAL BUREAU OF INVESTIGATION

## Import Form

**Form Type:** FD-1023

**Date:** 02/25/2020

**Title:** (U) S-00083719-A-077.pdf

**Approved By:** PEARLSTEIN ADAM D

Andrade Case

**Drafted By:** Johnathan C. Buma

**Case ID #:** 58D-SF-2113481

813C-HQ-3178392

(U) Operation Clutch Council  
CDPO-Federal Bribery - Other  
SENSITIVE INVESTIGATIVE MATTER  
(S//NF) POSITIVE FOREIGN INTELLIGENCE  
COLLECTION PROGRAM - COLLECTION REQUEST  
/APPROVAL, UKRAINE

**Synopsis:** (U) Consultation on Abramoff's hand-written notes

**Enclosure(s):** Enclosed are the following items:

1. (U) DELTA Imported Attachment

◆◆

UNCLASSIFIED

FD-1023	<b>FEDERAL BUREAU OF INVESTIGATION</b> CHS REPORTING DOCUMENT	 OFFICIAL RECORD This document has been certified as an official record of the Department of Justice. Date of Certification: 12/19/25
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HEADER
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**Source ID:** S-00083719  
**Date:** 02/24/2020  
**Case Agent Name:** Buma, Johnathan C  
**Field Office/Division:** Los Angeles  
**Squad:** I 01

SOURCE REPORTING
------------------

**Date of Contact:** 02/20/2020  
**List all present including yourself (do not include the CHS):**  
SAs Ketrin Adam, James Donovan and Johnathan Buma  
**Type of Contact:** In Person  
**Country:** UNITED STATES  
**City:** Aneheim  
**State:** California  
**Date of Report:** 02/24/2020

<b>Substantive Case File Number</b>
813C-HQ-3178392
<b>Substantive Case File Number</b>
58D-SF-2113481

FD-1023	FEDERAL BUREAU OF INVESTIGATION CHS REPORTING DOCUMENT	
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Check here if additional reporting is in Echo  
No

Source Reporting:  
[Redacted]

[Redacted] "... 1+1..."  
[Redacted] "..."

[Redacted]

[Redacted]

"..."

Synopsis:  
Consultation on Abramoff's hand-written notes

SIGNATURE		
Submitted By	jchouha (Chouha, Jonathan)	Tue, 28 Feb 2024 14:28:41 -0800
First Level Approved By	ADPESALSTEIN (Pantstein, Adam)	Tue, 28 Feb 2024 15:07:57 -0800

## Jack Abramoff

---

**From:** Jack Abramoff  
**Sent:** Thursday, May 31, 2018 1:44 AM  
**To:** Jack Abramoff  
**Subject:** notes

Sanctions: there is something already in process  
Dana: resolution start in his subcommittee – media interview,  
Current UA lobbyists: BGR, Livingston Group, Wiley Rein  
UA anti-corruption groups (AL list them for me?)  
Non profit: name?  
NP: Hire US lobbyists, register, need spokesman/head, Ideally: UAian  
Need memo for all research needed  
Crony list, details  
Contract/proposal/invoice LF  
AL: videos put up by journalists on 1+1 about corruption, English  
Check out 1+1  
BIG: US ambassador; Biden connection  
LA: get me sins of US Ambassador  
Michael Cohen payment from P was a set up: play this  
Dana: no more Yuri Vanetik; hearings in July?  
AL: need list of journalists  
UA aid cut off/export cut off



3588 amw

2 campaigns:

- 1) Anti-Corruption
- 2) Pro-V/V

**Anti Corruption:**

- ✧ Need details on P corruption from AL/et al
- ✧ Proof cases
- Build case

— must be strong

1. Engage US groups
  - a. Public Citizen
  - b. CREW
  - c. Common Cause
  - d. Represent.us
  - e. Etc

✧ Need new UA anti corruption  
- EU based? 10 committees

2. UA diaspora groups
  - ✧ a. Ukrainian Americans: Clean Up Our Homeland
3. Congress
  - a. Foreign Affairs
    - i. Senator Risch
    - ii. Congressman Rohrabacher
  - b. Finance Committees
    - i. Senator Hatch
    - ii. Congressman Hensarling
  - c. Leadership
  - d. Ukrainian Members of Congress
    - i. Senator Mike Enzi
    - ii. Martin Howrylak (R-MI)
  - e. Citizens Committee Against Corruption in Ukraine
    - i. Wayne Gretzky
    - ii. Jim Furyk
4. Administration
  - a. White House
    - i. Bolton
    - ii. Kudlow
  - b. Treasury
    - i. Mandelker
  - c. State

- i. Pompeo
  - d. US AID
- 5. Action Items
  - a. Executive Branch Sanctions
    - i. Commence action, leaks to press
    - ii. NEED LIST OF P CRONIES/BACK INFO
  - b. Congressional
    - i. Resolutions
    - ii. Hearings
      - 1. V/V testify? maybe
    - iii. Statements
      - 1. Congressional Record
      - 2. Media statements
      - 3. Calls for aid cut off - UA export cut off
  - c. Media
    - i. WSJ
    - ii. Forbes
    - iii. Washington Times
    - iv. Fox News
    - v. OAN
    - vi. Newsmax
    - vii. Blogs
    - viii. Websites
      - 1. WND
      - 2. Townhall
      - 3. Daily Caller
      - 4. Drudge
    - ix. All out media campaign
      - 1. Spread to Europe
        - a. John Crawford

V/V

- 1. Ukraine 2030
  - a. Topics
    - i. Transparency/anti-Corruption
      - 1. CrossVerify DTN
    - ii. Education
    - iii. Tech
    - iv. Infrastructure

- v. Peace and Prosperity
- vi. Security
- vii. Agriculture
- viii. Tourism: Ukrainian diaspora organizing tool
- ✶ b. Vataliy Book?
- c. Media
- d. Congressional support
- e. Administration Statements
- f. Think tanks
  - i. Carnegie Institute
  - ii. Heritage Foundation
- 2. Celebrity
  - a. Servant of the People
    - i. US rights/remake/ like Israeli shows
    - ii. Cast Trump friendly – Sinclair Broadcasting
    - iii. Vladimir here to do press — *Producer*
    - iv. Fund Development
      - 1. Significant director/cast
    - v. KEY: ANNOUNCEMENTS
- 3. Corruption
  - a. 10 Commandments against Ukrainian Corruption
    - i. Cornerstone of campaign
    - ii. Trips of anti-corruption officials from around the world to Ukraine to make statements against P

*VA Group*

7 months

#### Contributions

Anti-Corruption Groups 100K  
Heritage/etc 100K

NEED US 501C4

✶ Television Show rights acquire/development

#### Lobbyists FOR C4

Turnberry 30/6 180k  
Liberty Consulting 15/6 90k  
PIC 20/6 120k  
ADI 20/6 120K

*media 35K*  
*Lalgin 100/7*  
*CRYPTO 1.5*

ASTC  
 - fcd

Del - goy. msh

NAC

DITN

Dromatics (V:) Data

Network  
 Security

DTN ~~to~~ UK - Patent 1/2/3/4

Copyright  
 17/3/04  
 coming

Need  
 new  
 name

get piece  
 of land for \$200K

Street down  
 middle

5 acres coyis chut  
 Loan for 700K

400K Street  
 \$ Rats 100 to build  
 and  
 12/2/0

14	14
10/5	12/5

\$3 mill again  
 donate  
 to  
 non-profits

need VA head of group.  
either VA or EU based -  
ideal - pre-existing

2) all research info

3) wire to US company (crypto consult)  
VA/LD group.

1+1 - cable system vs -  
satellite  
VKramin channels -  
not pro Russia



[Barry Bennett]

~~Answer~~ Shatzkin

you take LK -

send had jain-gan

Ambassadors remove - \*

Biden -  
called meeting 1+1 - invite 1 year  
threat re Israel -

Who is Ukraine Lobbyist -  
AK Guy

Michael Cohen payment was to  
create problem for Trump -  
order of Biden - Newland -  
Cohen - soccer - Set up  
BBC - look for Pouchuk -  
Paul Wood 23 May 2018

Dana - no more U.S. Lobbying  
hearing - July -

text of A address to Alex re Book.

need list of journalists

Whatsapp - Alex - list of research we need  
- K - Laidman - wire -



UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

ROWLAND MARCUS ANDRADE,

Defendant-Appellant.

Case Nos. 25-5095; 25-6056; 25-6507

D.C. No. 3:20-cr-00249-RS-1

Northern District of California,  
San Francisco

**DEFENDANT’S MOTION TO USE  
STOCK ASSETS AND CONDUCT  
PUBLIC FUNDRAISER FOR  
SPECIALIZED COUNSEL AND  
FAMILY SUPPORT**

---

**EXHIBIT -E**

**ANDRADE NATIONAL THREAT BAND-1 & NSD FBI AGENTS  
HELSON AND BALL**

[REDACTED] ED  
**FEDERAL BUREAU OF INVESTIGATION**  
[REDACTED]

**Title:** [REDACTED]

**Date:** [REDACTED]

**Approved By:** [REDACTED] Shimp

**Drafted By:** Matthew [REDACTED]

**Case ID #:** 58D-SF-2113481

(U) Operation Clutch Council

CDPO-Federal Bribery - Other

SENSITIVE INVESTIGATIVE MATTER

**National Threat Band:** I  
[REDACTED]

**Enclosure(s):** Enclosed are the following items:

1. [REDACTED]

[REDACTED] **Surveillance:** [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

**Teams:**

[REDACTED]  
[REDACTED]

**Details:**

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED] P

[REDACTED] ED

[REDACTED]  
Re: 58D-SF-2113481, [REDACTED]

with Marcus Andrade. [REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
(U) [REDACTED]  
[REDACTED]

◆◆

[REDACTED]

Unclassified  
SITUATION/MISSION CONTINUED

SUBJECT INFORMATION			
Name: Jack Abramoff	Race: White	Sex: Male	DOB: [REDACTED]
Alias: [REDACTED]	Height: [REDACTED]	Weight: [REDACTED]	
[REDACTED]	Eyes: [REDACTED]	Hair: [REDACTED]	
[REDACTED]	[REDACTED]	FBI#: [REDACTED]	
[REDACTED]			
Address: [REDACTED] Maryland			
[REDACTED]			
Vehicle Info.: [REDACTED]			
[REDACTED]			
Criminal History: [REDACTED]			
[REDACTED]			
[REDACTED]			
[REDACTED]			
<b>REASON FOR CAUTION STATEMENT</b> (subject specific)			
[REDACTED]			
[REDACTED]			
Identify other outstanding legal processes. The issuing officials, districts and dates issued, and warrant locations should be included.			
[REDACTED]			
[REDACTED]			
Other Information Regarding Subject (Can include items such as possible locations of subject, identification of associates, and information provided by informants and other law enforcement agencies.) <b>Provide Photo If Available.</b>			
See attached photograph.			
[REDACTED]			

This Document has been prepared by the Federal Bureau of Investigation

Unclassified

Unclassified  
SITUATION/MISSION CONTINUED

INTELLIGENCE - Additional pertinent information can be added as an attachment	
<input checked="" type="checkbox"/> Site Survey Results	See Attached photos
<input type="checkbox"/> Danger Areas	unk
<input type="checkbox"/> Aggressive Animals	unk
<input type="checkbox"/> Cover and Concealment	unk
<input checked="" type="checkbox"/> Other	

LAW ENFORCEMENT PARTICIPANTS IN THE OPERATION				
Identify personnel directly involved in the operation, as well as their assignment (entry/perimeter) for the operation				
NAME	AGENCY	ASSIGNMENT	SIGNAL#	CELLULAR#
██████ Lewis	FBI/BA	Entry/ Search		301-██████
██████ Megli	FBI/BA	Entry/ Search/ TL		410-██████
██████ Zimmerman	FBI/BA	Entry/ Search		202-██████
██████ Perrino	FBI/BA	Search/ photos		410-██████
██████ Mellinger	FBI/BA	Search		724-██████
██████ Gentry	FBI/WFO	(ERT team member)		(202) ██████
SA Roubn Wymar	FBI/SF	Interview	██████	(510) ██████
SA Ethan Quinn	FBI/SF	Interview	██████	(415) ██████
SA Kate Ablett	FBI/SF	seizing	██████	(415) ██████
SA Joe Yum	FBI/SF			(415) ██████
SA Michelle Ball	FBI/WFO			(202) ██████
SA Kevin Helson	FBI/WFO			(202) ██████
ITS ██████ Rittie	FBI/ BA	CART personnel		(443) ██████
ITS ██████ Stone	FBI/BA	CART personnel		
IRS SSA Joshua Brewer	IRS			
IRS SA Bryan Wong				

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Unclassified

						VICJNqIRkh5			11ec33c34c7f7bc0	c3422817e11b5	
340	faa16f575bd5	1507326166		Michelle Ball	michelle.	TXxmdayEaFFhjZefJGhYK4ho Y7KmKW3qs	4788	15959998404	0x99de57f8b6A3b3569D897E50 8A73d3fe6b157E7C	2b993cc2ea694c799c4 c3422817e11b5	
						TLj9IDnRmxSDY6l.fv4YAYVk			0x1e47e45F4936045hf3F7626A	2b993cc2ea694c799c4	

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

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ROWLAND MARCUS ANDRADE,

Defendant-Appellant.

Case Nos. 25-5095; 25-6056; 25-6507

D.C. No. 3:20-cr-00249-RS-1

Northern District of California,  
San Francisco

**DEFENDANT’S MOTION TO USE  
STOCK ASSETS AND CONDUCT  
PUBLIC FUNDRAISER FOR  
SPECIALIZED COUNSEL AND  
FAMILY SUPPORT**

---

**EXHIBIT -F**

**Dkt. 120-1: *DENT’S NOVEMBER 23, 2022 ISO MOTION TO  
COMPEL DISCOVERY, SEE ¶¶ 28–34***



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Attorneys for Defendant  
ROWLAND MARCUS ANDRADE

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROWLAND MARCUS ANDRADE,

Defendant.

CASE NO.: 3:20-CR-00249-RS

**DECLARATION OF KERRIE C.  
DENT IN SUPPORT OF  
DEFENDANT ROWLAND MARCUS  
ANDRADE'S MOTION TO COMPEL  
DISCOVERY**

Date: December 20, 2022

Time: 9:30 A.M.

Judge: Hon. Laura Beeler

**DECLARATION OF KERRIE C. DENT**

Kerrie C. Dent, counsel for Defendant Marcus Andrade, states as follows:

1. I am one of the lawyers representing Defendant Marcus Andrade in the above-captioned matter. I file this declaration under seal to explain the materiality of the requests in the accompanying Motion to Compel Discovery without disclosing our trial strategy to the government. Filing this declaration under seal is appropriate because the facts and arguments cited here in support of our motion to compel reveal Mr. Andrade's defense strategy.

2. I have personal knowledge of the discovery disputes and related correspondence between the government and defense counsel and, if called as a witness in this matter, could competently testify to the matters stated in this Declaration. All exhibits presented in support of this motion to compel are true and correct copies of documents I have obtained through discovery or as part of defense preparation, and each exhibit is incorporated by reference.

3. The law supports my request to file this Declaration under seal. The case law endorses a defendant's right to protect his theory of defense in his communications with the Court. *See, e.g., United States v. Sleugh*, 318 F.R.D. 370, 374-375 (N.D. Cal. 2016) (holding that defendant's constitutional right to court process without revealing trial strategy overrides public's right of access to *ex parte* applications); *United States v. Solano*, No. 3:21-CR-00263-VC (N.D. Cal. 2021) (permitting criminal defendant to file declaration in support of contested discovery motion under seal to prevent disclosure of defendant's trial strategy). The paragraphs below identify Mr. Andrade's defenses and defense strategy and explain the need for documents relevant to those defenses, including documents that will undermine allegations in the indictment.

**Nature of this Case and the Discovery Sought**

4. As is reflected in the accompanying Motion, Mr. Andrade is the founder and principal of NAC Foundation, LLC, ("NAC") which developed and marketed a new cryptocurrency called "AML Bitcoin" that Mr. Andrade invented. In a two-count indictment filed on June 22, 2020, the government charged Mr. Andrade with (1) wire fraud in violation of 18 U.S.C. § 1343 and (2) money laundering in violation of 18 U.S.C. §§ 1956(a)(1)(A)(i) and (a)(1)(B)(i), alleging that, among other things, he misrepresented the state of development of AML

1 Bitcoin cryptocurrency and misappropriated funds to purchase a home. In describing the charged  
2 scheme and artifice to defraud, the indictment alleges: i) that Mr. Andrade made public statements  
3 and statements to potential purchasers of AML Bitcoin tokens that misrepresented the state of the  
4 development of AML Bitcoin's technology; ii) that Mr. Andrade orchestrated and approved a false  
5 rejection campaign concerning a Super Bowl ad, falsely claiming that the ad was to be aired during  
6 the Super Bowl but was rejected by NBC; and iii) that Mr. Andrade made statements that falsely  
7 stated and implied that the NAC Foundation had reached or was about to finalize agreements with  
8 various government agencies for the use of AML Bitcoin or AML Bitcoin technology, in order to  
9 make prospective purchasers believe that the cryptocurrency was progressing toward widespread  
10 adoption.

11 5. The indictment alleges a co-schemer, whom we know to be Jack Abramoff.  
12 Abramoff has pled guilty to fraud crimes related to his involvement with AML Bitcoin. He will  
13 be a central part of Mr. Andrade's defense, which will include showing that Abramoff used Mr.  
14 Andrade and his companies, including AML Bitcoin, to engage in conduct to benefit Abramoff;  
15 that Abramoff and not Mr. Andrade was the knowing participant in the crimes alleged in the  
16 indictment; that Abramoff recognized, contrary to the government's allegations, that Mr.  
17 Andrade's technology was valuable, and saw Mr. Andrade as an unsophisticated, naïve  
18 cryptocurrency entrepreneur whose innovative cryptocurrency and related valuable patent  
19 portfolio could make Abramoff and his associates a lot of money;<sup>1</sup> and that Abramoff schemed  
20 behind Mr. Andrade's back to take over Mr. Andrade's company and to engage in the fraudulent  
21 activity charged in the indictment. Abramoff's AML Bitcoin-related wrongdoing was not his first  
22 offense. Arising out of his lobbying work for Native American tribes who were seeking the  
23 opportunity to provide casino gambling on their reservations, he was convicted of defrauding the  
24 tribes by, among other things, overbilling them, and participating in a secret profit-sharing  
25 agreement with others to divvy up payments the tribes thought they were making to lobbying firms  
26

27 <sup>1</sup> See, e.g., Exh 10, FBI-UC-000030 (noting Congressman Dana Rohrabacher, Abramoff's close friend and fellow  
28 supporter of and advocate for Russia and Vladimir Putin, received 100,000 AML Bitcoins—worth more than \$200,000  
at the time—and another \$900,000 in cash as donations for his campaign).

when, in fact, those firms were controlled by Abramoff, who split up the payments among himself and others involved in his fraud scheme. *See* Information, ECF No. 1, *United States v. Abramoff*, No. 1:06-cr-00001 (D.D.C. Jan. 3, 2006).

6. Abramoff's prison term did not change him into a law-abiding citizen. Not only has he already pled guilty to AML Bitcoin-related conduct, but discovery suggests that at the same time and with the same people with whom he was engaged in his AML Bitcoin-related offenses, he was also engaged in other wrongdoing, which the government is investigating or has investigated. Nearly all of these other individuals are or have been subjects of government investigations themselves, and several of them have been convicted of offenses, including one who was guilty of acting as an unregistered foreign agent for Russia.<sup>2</sup>

7. The bulk of the discovery disputes presented in this motion arise from the government's unwillingness to provide information about these other investigations of Abramoff and his associates. For the reasons set forth in detail below, this unwillingness cannot be justified under Rule 16's broadly read requirement that the government produce information material to the preparation of the defense, especially given the many interconnections between the AML Bitcoin-related conduct and the other conduct under investigation, which are often addressed by the same individuals, in the same conversations, and using the same bank accounts. Under these circumstances, and based on additional facts set forth below, information about the other investigations is likely to show other related wrongdoing that impacted Abramoff's schemes relating to AML Bitcoin, and it likely will also provide other information helpful to preparing a defense, such as insight into Abramoff's motives, needs, and relationships that explain his AML Bitcoin-related conduct. Determining whether and to what extent Abramoff's political connections and business dealings with these other miscreants were related to, caused, influenced or motivated Abramoff in his AML Bitcoin-related conduct is necessary to explore possible

<sup>2</sup> DOJ Press Release, *Russian National Sentenced to 18 Months in Prison for Conspiring to Act as an Agent of the Russian Federation within the United States*, (April 26, 2019) ("Mariia Butina, a Russian national, was sentenced today to 18 months in prison after earlier pleading guilty to a federal charge of conspiracy to act as an agent of a foreign government.").

1 defense themes and to flesh out how to prove and present Mr. Andrade's defense.

2 **Results of the Meet and Confer Process Were Insufficient**

3 8. We have attempted to obtain discovery without resorting to a motion to compel, to  
4 no avail. My colleagues and I have had ongoing discussions with the government lawyers  
5 concerning the timing of their production of documents, the schedule for responding to our  
6 requests and letters, and related discovery issues. I spoke with the government about a schedule  
7 for its production of the requested documents during a lengthy meet and confer telephone  
8 conference with AUSAs Andrew Dawson and Ross Weingarten on October 3, 2022. My colleague  
9 Luke Roniger joined me on the call, during which we provided the government a considerable  
10 amount of information about the relevance of our requests. We discussed numerous discovery  
11 issues, including the issues that are the focus of the accompanying Motion to Compel and are  
12 addressed in more detail below. A few of the issues we discussed in our October 3 call have been  
13 resolved, and others remain disputed.

14 9. On the October 3 call, the prosecutors requested that I send them a letter addressing  
15 the outstanding discovery requests we discussed on the call. I sent them a comprehensive nine-  
16 page letter on October 14, 2022.<sup>3</sup> We referenced approximately fifteen documents (produced by  
17 the government) to support our view that certain requested documents exist and/or to explain why  
18 they are material to our preparation of Mr. Andrade's defense. I asked for a response by October  
19 21, and the government responded in the early hours of October 29, but they declined to produce  
20 the discovery that we now seek through this motion.<sup>4</sup>

21 10. As a result of our letters and conversations, the government agreed to produce a  
22 substantial amount of material, including: certain statements made by Jack Abramoff relating to  
23 the NAC Foundation, AML Bitcoin, and Mr. Andrade in this case; FBI investigative files related  
24 to two prior investigations regarding Mr. Andrade; materials from the parallel SEC investigation;<sup>5</sup>  
25 Telegram and Discord channels and accounts; UC operations material to the preparation of Mr.  
26

27 <sup>3</sup> See Exh. 4.

28 <sup>4</sup> See Exh. 5, AUSA Dawson email to King & Spalding (Oct. 29, 2022).

<sup>5</sup> Exh. 25, Abramoff iPhone (Aug. 24, 2017).

Andrade’s defense; and 55 GB of Abramoff emails that the prosecutors reported discovering in August 2022.

11. The remaining disputed issues that are ripe for a motion to compel stem from requests made in five separate discovery letters, dated March 3, March 7, May 10, July 15, and October 14, 2022.<sup>6</sup> This Court ought to compel the government to produce the disputed discovery items described herein because they are “material to the preparation of the defense” under Federal Rule of Criminal Procedure 16, and will enable Mr. Andrade to explore possible defenses and develop his theory of the case.<sup>7</sup> *See United States v. Olano*, 62 F.3d 1180, 1203 (9th Cir. 1995) (noting evidence is “material” under Rule 16 where it is helpful to the development of a possible defense or even abandoning a potential defense). The materiality threshold of Rule 16 is “not a heavy burden.” *United States v. George*, 786 F. Supp. 56, 58 (D.D.C. 1992). It is enough if the requested material can play an important role in uncovering admissible evidence, *United States v. Lloyd*, 992 F.2d 348, 351 (D.C. Cir. 1993), or, even if it may lead to nothing helpful to refute the prosecution’s case at all, by causing a defendant to abandon a defense and take a different path, *United States v. Doe*, 705 F.3d 1134, 1151 (9th Cir. 2013) (explaining that information need not be exculpatory or impeaching to be discoverable and material under Rule 16). Courts routinely order discovery even if they are not convinced that the material requested will in fact be exculpatory; rather, it is enough if the proffered opportunity to aid the defense is “more than mere speculation.” *See, e.g., United States v. Lov-It Creamery, Inc.*, 704 F. Supp. 1532, 1553 (E.D. Wis. 1989) (ordering production of an IRS file in a related investigation even though the court was “not persuaded by defendants’ theory that the IRS file necessarily contains exculpatory material” because defendants “made a sufficient showing that their theory is more than mere speculation”) (emphasis added).

#### **Discovery Requests Are Likely to Lead to Exculpatory Evidence**

12. The government’s assertion that all this other conduct in which Abramoff engaged

<sup>6</sup> *See* Exhs. 4, 6-9.

<sup>7</sup> The case law relied on in this Declaration is also cited in the Memorandum in Support of Motion to Compel filed contemporaneously, but not under seal.

is irrelevant and unrelated to AML Bitcoin is belied by many facts that the defense has identified in discovery and from other sources. **First**, this supposedly unrelated conduct was occurring at the same time and was often discussed—in code—in the very same conversations as those discussing AML Bitcoin, casting doubt on anyone’s ability to determine whether the discussions were related or not.<sup>8</sup> **Second**, the supposedly unrelated conduct appears to have at least sometimes been compensated as “cryptocurrency consulting,”<sup>9</sup> and at least some of that “cryptocurrency consulting” was connected to purchases of AML Bitcoin.<sup>10</sup> **Third**, a bank account for Landfair Capital Consulting, Inc. (“the Landfair Capital account”), an account controlled by Abramoff and his sons, was referred to by the FBI as the “money connection” to AML Bitcoin and was the same account used by Abramoff to fund his other conduct.<sup>11</sup> **Fourth**, it appears that all the monies in this Landfair Capital account, whether used for AML Bitcoin purchases, for compensation to Abramoff for pro-Russia consulting, money for Abramoff’s purported cryptocurrency consulting, or for use in Mr. Andrade’s NAC business, were comingled, calling into question the government’s resolve that Erickson’s use of the Landfair Capital account had nothing to do with AML Bitcoin.<sup>12</sup> **Fifth**, at least one of Abramoff’s associates, convicted felon Paul Erickson, funneled money into the account just a few weeks before funds went out to pay for AML Bitcoin, suggesting Erickson may have been paying for AML Bitcoin but wanted to hide his tracks. This underscores the error in the government’s assessment that there was “no reason to believe” Erickson ever purchased

<sup>8</sup> See, e.g., Exh. 11 at 10, FBI-302-005158 (showing Abramoff and Alexander Levin discussing anti-Ukrainian consulting work and cryptocurrency consulting in the same conversation on June 10, 2018); Exh. 22, Abramoff iPhone (FBI-00119767) (showing messages between Abramoff and Croatian lobbyist Natko Vlahovic and that while the two were working together on lobbying campaigns, Abramoff introduced Vlahovic to AML Bitcoin and helped him acquire AML Bitcoin tokens).

<sup>9</sup> See, e.g., Exh. 11, FBI-302-005158 (describing Levin and Abramoff planning a potential pro-Russia political campaign in the United States and in Ukraine at the same time—in the same text message—that Abramoff invoiced Levin for \$750,000 in connection with “cryptocurrency consulting”).

<sup>10</sup> See, e.g., Exh. 11 at 10-12, FBI-302-005158 (noting that Abramoff, who invoiced Levin for cryptocurrency consulting on June 10, 2018, texted Levin a link to an AML Bitcoin video with the password “aml123” on August 14, 2018, suggesting that there may have been some connection between the cryptocurrency consulting and purchases of AML Bitcoin). See also, ¶¶ 37-38 below, describing an example of cryptocurrency consulting leading to purchases of AML Bitcoin.

<sup>11</sup> See Recording ID-39 (57:24) (FBI case agent Wynar calls the Landfair Capital account the “money connection”).

<sup>12</sup> See Exh. 13, FBI-GJ-0002203 (FBI summary of activity in Landfair Capital account in July 2018).



AML Bitcoin;<sup>13</sup> and the suggestion that Erikson may not only have purchased AML Bitcoin but used the Landfair Capital account to disguise that purchase for some unknown reason, combined with the seizure from Butina’s apartment of AML Bitcoin marketing materials with “notes believed to have been taken by Erickson,”<sup>14</sup> casts doubt on the government’s notion that the “other conduct” by Erikson that it claims it was investigating has to be unrelated to AML Bitcoin. **Sixth**, the Erickson payment into the Landfair Capital account, the multiple references to consulting, and the apparent efforts to get money out of Angola while getting AML Bitcoin accepted in Angola (through an elaborate scheme that involved purchases of large quantities of AML Bitcoin that is described in greater detail in ¶¶ 20-24 below), especially when combined with the large number of substantial deposits and transfers to and from Abramoff, his family members, individuals and Abramoff’s political connections, as well as entities associated with AML Bitcoin, suggest that Abramoff and his associates may have been using AML Bitcoin to launder funds for at least some of this other conduct.<sup>15</sup> **Finally**, Abramoff’s acknowledgement in a WhatsApp message that “guys will need to get paid” before they will continue their anti-Ukrainian lobbying work, an acknowledgement made immediately before reference to a \$750,000 “cryptocurrency consulting” invoice run through the Landfair Capital account, lends further support to the existence of a relationship between Abramoff’s cryptocurrency activities— which centered on AML Bitcoin— and his other conduct.

13. Not only is it impossible to understand fully the relationship between Abramoff’s other activity and his AML Bitcoin-related conduct without the requested discovery, but the connections described above provide “more than mere speculation” that there are connections between Abramoff’s AML Bitcoin-related activities and his other activities, and that the information requested will help the preparation of the defense (even if not it is not exculpatory as the defense expects it to be). In any event, even if the other conduct is unrelated on its face to AML Bitcoin, it could still be material to the preparation of Mr. Andrade’s defense because it was

<sup>13</sup> Exh. 5, AUSA Dawson email to King & Spalding (Oct. 29, 2022).

<sup>14</sup> *Id.*

<sup>15</sup> The intermingling of Abramoff’s political and AML Bitcoin activities are further discussed *infra* at ¶¶ 14-17.

going on at the same time with the same people and will provide insight into Abramoff's AML Bitcoin-related conduct, such as showing when he needed money or collateral to fund his other conduct, and took steps to increase AML Bitcoin's value. Because this information will be used in Mr. Andrade's defense, or at least is material to the preparation of that defense, it is not being sought for impeachment, and given the complexity and international scope of the activities, needs to be produced now in order to provide time for its use in investigating and preparing Mr. Andrade's defense. As a result, the requests exceed the standards of Rule 16 described in paragraphs 7 and 11. Judge Seeborg implicitly acknowledged the materiality of Abramoff's vast maze of political connections and business dealings to Mr. Andrade's defense by approving CJA funds for a dedicated expert investigator to ferret out the extent of those connections and the extent to which those connections and activities influenced Abramoff's activities relating to AML Bitcoin.<sup>16</sup> In the end, the government's assertion to the contrary merely reflects, as many of its comments in the meet-and-confer confirmed, that at this stage the prosecutors, busy on other matters, are not as familiar with the details and nuances of the massive amount of evidence in this case as are Mr. Andrade's counsel—who have the benefit of Mr. Andrade's careful review of and insights about the evidence.

14. In addition to the reasons above that justify the materiality of our requested discovery, in the paragraphs below, I describe each set of the requests, note the justifications offered by the government for its refusal to make the requested production, and set forth the additional reasons why the requests meet the standards of Rule 16.

**Jack Abramoff** (3/7/22 Letter, Reqs. #1, 2, and 5; 7/15/22 Letter, Req. #15).

15. Jack Abramoff, a twice-convicted felon and, in the government's view, a co-schemer in the charged conduct, is at the center of this case. The defense has requested, among other things, material regarding Abramoff's conduct and business activities contemporaneous with the conduct described in the indictment, including his conduct that has been investigated by the

---

<sup>16</sup> Mr. Andrade raised several examples of the intersection between Abramoff's political dealings and his work on behalf of AML Bitcoin in the CJA request submitted to Judge Seeborg, including those discussed *infra* at ¶¶ 28-29.

1 Southern District of New York, Main Justice, or the District of Maryland; his statements about this  
2 case, the NAC Foundation, AML Bitcoin, and Mr. Andrade; FBI Agent Leanna Saler's 302s  
3 relating to Abramoff and/or AML Bitcoin, and any FISA materials related to or referencing  
4 Abramoff. The government has agreed to provide only reports of Abramoff's statements from his  
5 prior prosecution and transcripts of any testimony related to that prior prosecution. The  
6 government has declined to produce FBI reports and other documentation of Abramoff's business  
7 activities or other conduct contemporaneous with the allegations in the indictment, arguing that  
8 this can only be impeachment material, and that our request is premature. The government also  
9 has not produced and materials from Agent Leana Saler or any FISA materials that reference NAC,  
10 AML Bitcoin, or Mr. Andrade.<sup>17</sup>

11 16. The information sought by Mr. Andrade is material to his defense because it is  
12 likely to identify additional leads and connections that would further demonstrate how and why  
13 Abramoff manipulated AML Bitcoin for his own benefit, without Mr. Andrade's knowledge, and  
14 to reveal other similar conduct that can be offered in support of Mr. Andrade's defense theory.  
15 Underscoring the themes described in paragraphs 17-18 above, Abramoff's efforts to take control  
16 of AML Bitcoin,<sup>18</sup> his conducting of AML Bitcoin's activities without Mr. Andrade's full  
17 knowledge,<sup>19</sup> and much of his other political and business activities were going on at the same  
18 time as his involvement with AML Bitcoin (and frequently in the same email chains and with the  
19 same people),<sup>20</sup> which makes it likely that information about his contemporaneous political and  
20

21 <sup>17</sup> Abramoff would have been a legitimate candidate for a FISA warrant. As set forth in more detail in the paragraphs  
22 below, Abramoff was a convicted felon involved in pro-Russia lobbying, made a recording to try to influence members  
23 of Congress to adopt a pro-Russia, pro-Putin stance, and engaged in anti-Ukrainian lobbying that involved taking  
24 action to limit the influence of strong Ukrainian leaders.

25 <sup>18</sup> See, e.g., Exh. 14, FBI-PHY-045609 (David Cohen imploring Mr. Andrade to accept a buyout offer for AML Bitcoin  
26 that appears to have been coordinated by Jack Abramoff, who would receive 30% of the proceeds, and listing several  
27 "bad outcomes" if the deal is not finalized); Exh. 24, Abramoff iPhone (Sept. 12, 2018) (Abramoff joking with Naimar  
28 that Mr. Andrade is like Esther in the Biblical story of Esther and Mordecai: Esther "had second thoughts about her  
role," so Mordecai told her if she did not "step up," then "the outcome will be achieved in any case without her").

<sup>19</sup> See, e.g., Exh. 15, FBI-302-004943 (interview of lobbyist Chase Kroll describing Abramoff's efforts to hire him for  
lobbying on behalf of AML Bitcoin and noting he never met Andrade); Exh. 16, Treasury Complaint #25 (WhatsApp  
message from Abramoff to D. Winczura, suggesting that he inform Mr. Andrade that he is transferring all of his rights  
to Abramoff).

<sup>20</sup> See, e.g., Exh. 17, FBI-302-007326 (summarizing emails from John Bryan, noting those emails contained "Non-

business activities investigated by the government will give insight into his motives and involvement with the AML Bitcoin project. As a result, Mr. Andrade's theory that the documents he seeks are material to the preparation of his defense is "more than mere speculation," and the government should therefore produce them. *Lov-It Creamery, Inc.*, 704 F. Supp. at 1553 (ordering production of requested IRS file in a related investigation even though the court was "not persuaded by defendants' theory that the IRS file necessarily contains exculpatory material" because defendants "*made a sufficient showing that their theory is more than mere speculation*") (emphasis added). Among other things, understanding the cash flow relating to Mr. Abramoff's business dealings and financial relationships with other investors is likely to place in context Abramoff's efforts to increase the price of AML Bitcoin, both by encouraging other purchasers and by making alleged misrepresentations about entities that might be willing to accept AML Bitcoin.

17. Contrary to the government's accusations that Mr. Andrade was a fraudster who misrepresented the state of his cryptocurrency technology, Mr. Andrade's AML Bitcoin cryptocurrency, Abramoff recognized the value of the source code for Mr. Andrade's patented biometric verification process, and of Mr. Andrade's patent portfolio. Those items were valuable enough that Abramoff was working on multiple fronts to take possession and control over Mr. Andrade's company, Mr. Andrade's source code for a related company of his called CrossVerify that developed technology to store and use biometric data on blockchains, and Mr. Andrade's patent portfolio. Mr. Andrade expects to be able to show that Abramoff hid from Mr. Andrade Abramoff's efforts to take control of Mr. Andrade's companies and assets, as well as Abramoff's efforts to inflate the value of AML Bitcoin—efforts for which Mr. Andrade has been charged in the indictment. his proof will also support defense impeachment of government witnesses, but the discovery is needed now because of its impact on the theory of the defense and on the complex fact-gathering that needs to be done to present that defense at trial.

AML [Bitcoin] correspondence between Abramoff and Bryan in addition to emails regarding AML Bitcoin itself"); Exh 10, FBI-UC-000030 (noting Congressman Dana Rohrabacher, Abramoff's close friend, received 100,000 in AML Bitcoin and \$900,00 in cash as donations for his campaign).

18. As an illustration of Abramoff's activities to implement his plan to use and take AML Bitcoin for his own benefit and without Mr. Andrade's full knowledge, and to do so in the midst of engaging in other wrongdoing with the same individuals who were aiding in his efforts to take Mr. Andrade's business, we have developed evidence that Abramoff directed numerous individuals to buy up as much AML Bitcoin as possible.<sup>21</sup> While it may be true that not all of the Landfair Capital funds were associated with AML Bitcoin, the government's conclusion that there can be no relationship between AML Bitcoin and Abramoff's other conduct and lobbying is not nearly as straightforward as the government asserts, and substantial evidence points in the opposite direction. **First**, several wires were sent bearing AML Bitcoin related memos and/or to entities or individuals tied to AML Bitcoin following deposits by Erickson and others. **Second**, Abramoff engaged so many lobbyists on behalf of AML Bitcoin, or asked other lobbyists working with him to help with AML Bitcoin, that it cannot be said without further discovery whether any particular lobbyists were assisting with AML Bitcoin or not.<sup>22</sup> **Third**, as described above, the sheer number of large deposits and transfers to and from Abramoff, his family members, individuals and entities associated with AML Bitcoin, and political connections,<sup>23</sup> combined with Abramoff's use of invoices from Landfair Capital to get paid for anti-Ukrainian lobbying or cryptocurrency consulting (depending how one interprets the evidence), suggests Abramoff and others may also have been laundering money through the Landfair Capital account. If Abramoff was, in fact, laundering money through an account that comingled funds related to AML Bitcoin, that would be material to the preparation of Mr. Andrade's defense, as it would bear upon criminal activity that is both contemporaneous with and connected to Abramoff's involvement with AML Bitcoin. In any event, the comingling of funds related to AML Bitcoin with funds related to Abramoff's

<sup>21</sup> See, e.g., Exh. 18, Extraction Report from Jack Abramoff's iPhone (hereinafter "Abramoff iPhone") (Sept. 29, 2017) (listing names of individuals who had purchased AML Bitcoin Pre-ICO, amounts purchased, and whether the purchaser was Jewish).

<sup>22</sup> See, e.g., ¶¶ 16-17 *infra* (noting Abramoff's dealings with a lobbyist, Natko Vlahovic, who acquired AML Bitcoin and appeared to help Abramoff with getting the government of Angola to accept AML Bitcoin); Exh. 25, FBI-302-004943 (interview of lobbyist Chase Kroll describing Abramoff's efforts to hire him for lobbying on behalf of AML Bitcoin and noting he never met Andrade); Exh. 15 (interview of Brian Darling, self-employed political consultant hired by Abramoff to draft articles about AML Bitcoin).

<sup>23</sup> See ¶ 12.

1 other political and business dealings itself suggests that a full evaluation of information about those  
2 whose funds are comingled, as well as those who did the comingling, is material to the preparation  
3 of the defense.

4 19. Discovery produced in this case and correspondence with the government confirm  
5 that the government's investigation of Abramoff was broad and far reaching beyond the AML  
6 Bitcoin project. Although the government has declined to produce all its investigative files  
7 regarding Abramoff, the documents produced in this case and correspondence with the government  
8 have confirmed additional examples of how Abramoff's political dealings and other business  
9 ventures that were investigated did, in fact, intersect at times with the AML Bitcoin project.

10 20. Messages between Abramoff and Natko Vlahovic (a Croatian lobbyist) show that  
11 while the two were working together on lobbying campaigns, Abramoff introduced Vlahovic to  
12 AML Bitcoin and helped him acquire AML Bitcoin tokens, ultimately resulting in Vlahovic  
13 working on the drafts of what appear to be press releases for AML Bitcoin related to adoption of  
14 AML Bitcoin by the governments of Angola, Slovenia, and Estonia.<sup>24</sup> Along with discussing  
15 Abramoff's crusade to organize Trump voters to pressure Congress to reverse what Abramoff  
16 called the "horrific" anti-Russian trends in American politics,<sup>25</sup> Abramoff and Vlahovic discuss  
17 topics ranging from Russia-related work, to Vlahovic getting commissions for selling AML  
18 Bitcoin, to a statement apparently designed for an official of the Angolan government about  
19 Angola exclusively accepting AML Bitcoin.<sup>26</sup> On the recording, Abramoff advocates for people  
20 to support then-Congressman Rohrabacher, who was the only Congressman supporting Trump's  
21 efforts to befriend Russia. *Id.* at (8:00-8:15). Rohrabacher ends up having 100,000 AML Bitcoin  
22 contributed to his campaign.<sup>27</sup>

23  
24  
25 <sup>24</sup> See, e.g., Exh. 22, Abramoff iPhone (Nov. 8, 2017) (WhatsApp exchange between Abramoff and Vlahovic).

26 <sup>25</sup> See Exh. 30, Abramoff Recording (3:35-4:10; 4:50-5:30; 7:45-9:10). Abramoff states in his recording that he  
perceives potential pro-Putin groups to include the millions of Catholics, other Christians, and Orthodox Jews. *Id.*  
(4:50-5:30). He asserts that Americans "appreciate Putin" and see him as a "strong leader." *Id.* at 2:45-2:50.  
27 Abramoff calls for the raising of millions of dollars for this pro-Russia campaign. *Id.* at 8:25-9:10.

28 <sup>26</sup> Exh. 25, Abramoff iPhone (Aug. 24, 2017).

<sup>27</sup> Exh. 10, FBI-UC-000030 (noting Rohrabacher, Abramoff's close friend, received 100,000 AML Bitcoin and  
\$900,00 in cash as donations for his campaign).

21. The messages with Vlahovic also suggest that Abramoff may have been contemplating AML Bitcoin as a potential mechanism for laundering money and/or avoiding sanctions relating to Abramoff's other activities; the additional materials sought could help determine and prove whether and to what extent Abramoff may have attempted to use AML Bitcoin for other wrongdoing, which would advance the defense theory that Abramoff was responsible for any AML Bitcoin-related wrongdoing and that he was engaged in that wrongdoing for his own purposes, and not Mr. Andrade's. These are but a few examples of a much broader theme: despite whatever else Butina and others dealing with Abramoff were doing at the time, Abramoff still devoted substantial time and effort into the AML Bitcoin project to the point of intermingling it with his other political activities and business ventures. That intermingling is crucial because it underscores the likelihood that the additional information relating to the government's investigations of Abramoff's non-AML Bitcoin activities are likely to bear upon and help explain Abramoff's involvement with AML Bitcoin and his motive for engaging in the wrongdoing charged in the indictment for his own purposes and without Mr. Andrade's knowledge.

22. Mr. Andrade's discovery requests relating to Abramoff called for "all material relating to Abramoff's criminal conduct" because additional information held by the government relating to Abramoff may show other conduct—wrongful or not—bearing upon Abramoff's motives for investing substantial time in promoting AML Bitcoin and engaging in the wrongdoing charged in the indictment. For example, the extractions from Abramoff's iPhone produced by the government include numerous WhatsApp exchanges between Abramoff and others suggesting that Abramoff explored using AML Bitcoin as a means for transferring money out of Angola.<sup>28</sup> The discovery produced to date does not fully explain what Abramoff was doing in Angola (and with

<sup>28</sup> See, e.g., Exh. 23, Abramoff iPhone (December 28, 2017) (Abramoff asking Richard Naimer if he is "free for a call on the Angolan currency deal"); Exh. 24, Abramoff iPhone (Jan. 9, 2018) (Abramoff sharing Angolan Deal Notes with Naimer); Exh. 25, Abramoff iPhone (Aug. 24, 2017) (Abramoff sharing with Vlahovic a statement to be presented by the leader Angola stating that his administration will implement rules "only permitting anti-money laundering (AML) digital currency to operate within the Republic of Angola. AML Bitcoin will provide our nation with the immense advantages of the digital currency revolution...").



1 AML Bitcoin), but whatever it was does not appear to be legal and may include money laundering.  
 2 Abramoff's WhatsApp messages with Roger Engone (who appears to do lobbying on issues related  
 3 to African countries), reflect a concern about asset seizures and seek a role for AML Bitcoin.<sup>29</sup>  
 4 Thereafter, Abramoff sketched out a deal, the complete terms of which are not explained, but  
 5 which would include Engone getting at least two Angolan participants who designate an Angolan  
 6 bank (where they have deposits) that they will use to "participate in the transaction." As directed  
 7 by Abramoff, the designated banks must be able to transfer South African Rand to a U.S. account;  
 8 each participant must sign a contract to purchase AML Bitcoin and will receive AML Bitcoin  
 9 wallets; and several complicated transactions will ensue that involve transferring millions of  
 10 dollars between the two participants, with AML selling one of the participants \$100 million of  
 11 AML coins, and that purchaser selling \$100 million worth of AML to the second participant and  
 12 then depositing \$100 million in a Dubai bank account, minus the 20% of the funds that will go to  
 13 Engone.<sup>30</sup> Abramoff states, "This approach could enable deposits of more than US\$1B per month  
 14 in each Dubai account."<sup>31</sup> On the same day, he sends Engone an AML Bitcoin Purchase  
 15 Agreement. A few days later, Abramoff tells Engone to let him know as soon as it is confirmed  
 16 that the Angolan bank can do South African rand transfers, then email Abramoff to his printer (not  
 17 his computer), and then go to Abramoff's house "so we can take the next steps, which will be you  
 18 calling my guys while I'm in the room..."<sup>32</sup> Five days later, Engone sends Abramoff a photograph  
 19 of a huge stack of Angolan money piled high in an otherwise empty room, to which Abramoff  
 20 responds, "Looks like my living room! Hahahaha."<sup>33</sup>

23 <sup>29</sup> Exh. 27, Abramoff iPhone (Aug. 27, 2017) (showing WhatsApp conversation with Engone in which Abramoff  
 24 circulates what appears to be a template for a letter that African leaders can use to explain to their citizens that "digital  
 25 currencies will enable many of our citizens to participate in the global economy;" while cautioning that "[e]ach day's  
 26 news includes stories about how terrorists, drug dealers, sex slave traffickers and other criminals utilize anonymous  
 digital currencies," and concluding that people "who wish to participate in this exciting new world" do so through  
 compliant digital currencies like AML Bitcoin, "a soon-to-be-released anti-money laundering compliant digital  
 currency").

27 <sup>30</sup> Exh. 28, Abramoff iPhone (Oct. 11, 2017) (WhatsApp conversation with Roger Engone).

28 <sup>31</sup> *Id.*

<sup>32</sup> *Id.*

<sup>33</sup> Exh. 29, Abramoff iPhone (Oct. 16, 2017) (WhatsApp conversation with Roger Engone).

23. Some additional light on what was happening can be found in a separate WhatsApp conversation, in which Abramoff sends “Angolan Deal Notes” to Richard Naimer (a long-time friend and business associate of Abramoff), on January 8, 2018.<sup>34</sup> In those deal notes, Abramoff referenced a Sultan and some real estate developments that would be purchased in a way that avoids “overseas remittance” guidelines, that makes it appear to the banks that would be involved that what was happening was for “investment purposes,” and that overstates the amount that would actually be invested. Abramoff adds that “all the banks understand that the funds will be arriving in Angolan Kwanza Cash Notes.”<sup>35</sup>

24. The efforts with respect to Angola and Angolan currency also are reflected in Abramoff’s WhatsApp exchanges with Mr. Andrade regarding Natko Vlahovic.<sup>36</sup> On October 10, 2017, Mr. Andrade sends Abramoff a message from Vlahovic in which Vlahovic says that Abramoff asked him to bring in investors for AML Bitcoin. Vlahovic says that bringing in investors is not his “strong card” but that he will “try pitching a few friends.” He says he understands that Abramoff is looking for “big investors” who can “bring in a few mil.” The next day, Mr. Andrade shares another message from Vlahovic in which Vlahovic says he reached out to “several potential investors” but he does not see them working out. Abramoff tells Mr. Andrade that the funds the potential investors would wire from their bank would be in Angolan currency, and he asks Mr. Andrade to check and see if his bank will accept Angolan Kwanzas and convert them to U.S. dollars. On October 16, 2017, Abramoff informs Mr. Andrade that Vlahovic has found a potential investor, and he sends Mr. Andrade an AML Bitcoin Purchase Agreement and then the photograph of piles of Angolan money that Abramoff had received from Engone weeks earlier.<sup>37</sup>

25. That whatever was happening was likely not legal is reflected not just in the language referenced in the paragraphs above but also in additional admonitions from Naimer to

<sup>34</sup> Exh. 24, Abramoff iPhone (Jan. 9, 2018) (Abramoff sends “Angolan Deal Notes” to Richard Naimer).

<sup>35</sup> Exh. 24, Abramoff iPhone (Jan. 9, 2018) (Abramoff sends “Angolan Deal Notes” to Richard Naimer).

<sup>36</sup> Exh. 43, Abramoff iPhone (Oct. 10-11, 2017) (WhatsApp conversation between Abramoff and Mr. Andrade).

<sup>37</sup> Exh. 43, (Oct. 16, 2017) (WhatsApp conversation between Abramoff and Mr. Andrade).

Abramoff that all communications should be through WhatsApp so the history can be erased and “lost in cyberspace.” Abramoff responds that he sets his WhatsApp application so that messages do not archive.<sup>38</sup> This exchange underscores the importance of Mr. Andrade receiving not just documents, but also material from the iPhones he has requested, including those of Butina, Erickson, and Levin. Whatever was happening, AML Bitcoin was in the middle of it, as one of the outcomes sought was to have the Angolan government accept AML Bitcoin. And, notably, Abramoff led similar efforts in other central African countries, including the Congo.<sup>39</sup>

26. The files relating to the government’s other investigations of Abramoff would presumably concern other criminal activity. The upshot of these requests, however, is that Mr. Andrade seeks to more fully understand Abramoff’s intricate web of political connections and business dealings through any other Abramoff-related information possessed by the government. The requested discovery (including the material from the mobile devices of Abramoff, Butina, Erickson, Levin, and others), will show what the government knows about what else Abramoff was doing, often with the same set of people who were investing in AML Bitcoin and who were helping Abramoff’s efforts to take control of the company, and will allow Mr. Andrade to learn about Abramoff’s motives to engage in misrepresentations on behalf of AML Bitcoin and to hide many of those activities from Mr. Andrade.

27. Relatedly, the defense has requested FBI 302s authored by Agent Leanna Saler relating to Abramoff and/or AML Bitcoin. Agent Saler was involved in prior investigations of Abramoff and may have served as Abramoff’s main contact at the FBI.<sup>40</sup> The government has declined to produce any 302s regarding Abramoff and/or Mr. Andrade that were authored by Agent Saler, asserting that Agent Saler was not involved in the present investigation of Abramoff or Mr. Andrade. But whether or not Agent Saler is involved in the current investigation does not matter

<sup>38</sup> Exh. 31, Abramoff iPhone (Sept. 12, 2017) (WhatsApp conversation between Abramoff and Naimer) at 2.

<sup>39</sup> Defense counsel will provide additional narrative and supporting documents with respect to Abramoff’s additional AML Bitcoin projects in foreign countries upon request of the Court.

<sup>40</sup> When FBI agents searched Abramoff’s residence in September 2018, Agent Saler is the first person Abramoff tried to call—even before his attorney. Abramoff told the agents that Saler was “on his case.” See Recording ID-39 (2:20-4:00).

1 for the reasons described above: other wrongdoing by Abramoff is material to the preparation of  
2 Mr. Andrade's defense. In any event, even if her involvement in the current investigation did  
3 matter, there is a UCE (undercover employee) "Leanna" who is referenced in, or participated in,  
4 at least three recordings that have been produced by the government in this case relating to AML  
5 Bitcoin and Mr. Andrade's related blockchain projects CrossVerify and DIT Network.<sup>41</sup>  
6 Combined with Agent Saler's involvement in prior Abramoff investigations, these recordings  
7 appear to be inconsistent with the government's assertion that Agent Saler was not involved in the  
8 investigation of Abramoff and/or Mr. Andrade. Accordingly, Mr. Andrade seeks any and all 302s  
9 or other reports regarding Abramoff and/or Mr. Andrade drafted by Agent Saler.

10 **Maria Butina** (3/7/22 Letter, Req. #3; 7/15/22 Letter, Req. #3; 7/15/22 Letter, Req. #15).

11 28. Maria Butina, a potential investor in AML Bitcoin, is part of what the government  
12 has called the "money connection" to AML Bitcoin. A recording produced by the government  
13 reflects that FBI agents seized documents relating to AML Bitcoin from Butina's home in an April  
14 2018 search that resulted in her being charged with, and pleading guilty to, conspiracy and acting  
15 as an agent of a foreign country.<sup>42</sup> In addition, the government acknowledges that a 302 of her  
16 FBI interview in another investigation mentions AML Bitcoin.<sup>43</sup> The government has not  
17 produced that 302. The defense has requested: statements made by Butina, or any documents  
18 provided by or taken from Butina, relating to Abramoff, the NAC Foundation, AML Bitcoin,  
19 and/or Mr. Andrade; relevant materials from her phone; and FISA materials relating to or  
20 referencing her. Although the government has agreed to provide copies of the AML Bitcoin  
21 materials found in Butina's apartment, the government has not agreed to provide a copy of the  
22 statements made by Maria Butina relating to AML Bitcoin, including the aforementioned 302.

23  
24  
25 <sup>41</sup> See Recording ID-34 (4:20-4:40) (July 12, 2018) (demonstrating UCE "Leanna" was supposed to join the call about  
26 biometrics and the blockchain, but she was on a train and had insufficient connectivity); Recording ID-37<sup>41</sup> (Aug. 17,  
27 2018) (demonstrating UCE "Leanna" and Agent Wynar participated in 39 minute call regarding purported interest in:  
28 corporate structure of NAC, AML Bitcoin, DIT Network, and other companies; CrossVerify and its applications; state  
of technology); Recording ID-41 (Sept. 24, 2018) (demonstrating UCE Leanna, Agent Wynar, and others have a 35-  
minute call with individuals from CrossVerify in London to discuss technology).

<sup>42</sup> See Exh. 21 (ID-39 (59:00)).

<sup>43</sup> Exh. 5, AUSA Dawson email to King & Spalding (Oct. 29, 2022).

1 Nor has the government agreed to provide messages and other material from her phone relating to  
 2 Mr. Andrade or AML Bitcoin, or FISA applications and related materials,<sup>44</sup> or any of the other  
 3 materials requested.

4 29. The government's bald assertion that Butina is not relevant to this matter belies the  
 5 intricate and oftentimes astounding web of political connections between Abramoff and others,  
 6 including Paul Erickson, as evidenced by AML Bitcoin materials being found in Butina's home.  
 7 Determining whether and to what extent Butina may have been introduced to AML Bitcoin and  
 8 acquired an interest in the project through Abramoff and Erickson is material to fully assessing  
 9 Abramoff's motivations for involving himself with AML Bitcoin. The additional materials sought  
 10 by Mr. Andrade relating to Butina therefore ought to be produced by the government regardless of  
 11 the manner and form in which they are held, including materials from her phone and any applicable  
 12 FISA records, given their materiality to Mr. Andrade's defense.

13 **Paul Erickson** (3/7/22 Letter, Req. #4; 7/15/22 Letter, Reqs. #15 & 16).

14 30. Paul Erickson is Abramoff's longtime friend, political ally, and business partner.  
 15 He is a convicted felon and former boyfriend of Maria Butina. Erickson was another apparent  
 16 investor in AML Bitcoin and was part of what the government has called the "money connection"  
 17 to AML Bitcoin. He kept money in, and received money from, the same Landfair Capital account  
 18 discussed above that was used for, among other things, purchasing AML Bitcoin. The defense has  
 19 requested: statements made by Erickson, or any documents provided by or taken from him, relating  
 20 to Abramoff, the NAC Foundation, AML Bitcoin, and/or Mr. Andrade; relevant materials from  
 21 his phone; and any potential FISA materials relating to or referencing him, given his relationship  
 22 with Butina. Aside from the AML Bitcoin marketing materials discovered in Butina's apartment  
 23

24 <sup>44</sup> Maria Butina would have been a legitimate candidate for a FISA warrant. Butina was arrested in July 2018 on  
 25 charges of being an unregistered foreign agent of the Russian Federation, and she was held without bail pending trial.  
 26 In December 2018, she pleaded guilty to trying to infiltrate the U.S. conservative movement as an agent for the  
 27 Kremlin. She admitted to working with Erickson to forge bonds with NRA officials and conservative leaders while  
 28 under the direction of Alexander Torshin, a Russian official with close ties to Putin. DOJ Press Release, *Russian  
 National Sentenced to 18 Months in Prison for Conspiring to Act As an Agent of the Russian Federation within the  
 United States*, (April 26, 2019). In her plea agreement, prosecutors agreed to drop a charge of failing to register as a  
 foreign agent in exchange for cooperation. *United States v. Maria Butina*, No. 1:18-CR-218-TSC (D.D.C. Dec. 13,  
 2018), Plea Agreement.

1 that the government believes were left by Erickson, the government has declined to produce any  
2 statements made by Erickson, any relevant materials from Erickson's phone, any FISA materials,  
3 or any other documents provided by or taken from Erickson, relating to Abramoff, the NAC  
4 Foundation, AML Bitcoin, and/or Mr. Andrade, contending that it does not believe that Erickson  
5 is relevant to the case.

6 31. The government's blanket assertion that Erickson is not relevant to this matter fails  
7 to recognize the importance of fully understanding the intersection of Abramoff's business activity  
8 and political connections to AML Bitcoin. The documents sought relating to Erickson are material  
9 to developing Mr. Andrade's theory of the case and ought to be produced regardless of the form  
10 and manner in which those documents are held, including any applicable FISA records.

11 32. The government's assertions that Butina and Erickson are not relevant to this matter  
12 fail to recognize the importance to the preparation of the defense of fully understanding the  
13 intersection between Abramoff's AML Bitcoin-related activity and Abramoff's contemporaneous  
14 business and political activity, as described more fully above. This same intersection can be seen  
15 in the evidence relating to Mr. Andrade's relationship with Butina and Erickson. Both Butina and  
16 Erickson were being investigated for misconduct connected to Abramoff, including—as reflected  
17 by the FBI's questioning of Abramoff—efforts by Erickson and Abramoff to offer corrupt help to  
18 someone seeking to become the Ambassador to India. This was taking place at the same time that  
19 Butina's funds were intertwined with Erickson's,<sup>45</sup> and that Erickson was depositing substantial  
20 sums of money in the Landfair Capital account—the account used for the AML Bitcoin project,  
21 an account that received funds to and/or from Marcus Andrade, NAC Foundation, Block Bits  
22 Capital, the Watley Group, and others, an account that FBI Special Agents Wynar and Quinn  
23 referred to as the “money connection” between Abramoff and others related to AML Bitcoin, and  
24

25 <sup>45</sup> See, e.g., Vanity Fair, *The Spy Story of Maria Butina Keeps Getting Stranger* (August 1, 2018) (“Bank activity  
26 flagged by anti-fraud investigators at Wells Fargo shows [Butina and Erickson] sent hundreds of thousands of dollars  
27 back and forth between their accounts—Butina's at Alfa Bank in Russia, Erickson's at Wells Fargo—to conduct what  
28 Butina referred to in an e-mail as her ‘special project.’ . . . In a 2017 report to the F.B.I. and the Treasury Department,  
Wells Fargo investigators said that they could find no ‘apparent economic, business, or lawful purpose’ for the  
numerous transactions, nor could they figure out why Erickson, who frequently overdraw his own personal and  
business accounts, had ‘significant control’ over Butina's.”).

1 an account into which Erickson deposited funds just before a payment was made from that account  
2 for AML Bitcoin for Erickson.<sup>46</sup> The government itself recognized the likelihood of a connection  
3 between Mr. Andrade and what Butina and Erickson were doing with Abramoff. The government  
4 apparently gathered its information about Butina and Erickson as part of its investigation of  
5 Abramoff, Mr. Andrade's alleged co-schemer. The connection between Mr. Andrade and  
6 Abramoff's relationship with Butina and Erickson was underscored when the FBI interviewed  
7 Abramoff, showed him photos of Erickson, Butina, and Andrade while asking him if he could  
8 identify the individuals,<sup>47</sup> and told Abramoff that the FBI found "a number of things" relating to  
9 Mr. Andrade and AML Bitcoin when searching Butina's home and that [inaudible] took "extensive  
10 notes" on what was found. See Recording ID-39 (58:00-59:00). There is no reason the agents  
11 would have said so unless they had a basis to believe there was a connection between Mr. Andrade  
12 and what Abramoff was doing with Butina and Erickson, and that same basis shows the materiality  
13 of the requested production to the preparation of Mr. Andrade's defense.

14 33. After we informed AUSA Dawson of FBI Recording ID-39, he responded that the  
15 government has no reason to believe Erickson or Butina ever purchased AML Bitcoin, that the  
16 "separate investigation into Paul Erickson concerned other conduct, that "there are transfers from  
17 Erickson to Landfair, but those are associated with an entirely distinct lobbying effort," and that  
18 because Erickson is not an anticipated witness at trial, the government has no *Giglio* obligation.<sup>48</sup>  
19 AUSA Dawson agreed to "prepar[e] a new report that will contain images of the marketing  
20 materials and notes believed to have been taken by Erickson that were seized at Butina's  
21 apartment."<sup>49</sup> But this is only a fraction of what the prosecution should provide. The fact that  
22 Butina possessed "a number of things" relating to AML Bitcoin in and of itself shows that she  
23 likely has information material to the defense—for example, what was she told by Abramoff or  
24 others about Abramoff's plans and work for AML Bitcoin. And the fact that Butina also indicated  
25

26 <sup>46</sup> See Exh.13, FBI-GJ-0002203 (FBI summary of activity in Landfair Capital account in July 2018).

27 <sup>47</sup> See Recording ID-39 (57:24) (9/13/2018) (Recording of conversation between Abramoff and Agents Quinn and  
Wynar prior to the search of Abramoff's home).

28 <sup>48</sup> See Exh. 5, AUSA Dawson email to King & Spalding (Oct. 29, 2022).

<sup>49</sup> *Id.*



her interest in Bitcoin more generally in her FBI interview in another case suggests that she may have communicated with others regarding AML Bitcoin and cryptocurrency more generally.<sup>50</sup> In addition, the government's statement that it has no reason to believe that Butina or Erickson purchased AML Bitcoin is belied by the fact that Erickson funneled money into the Landfair Capital account just before funds went out to pay for AML Bitcoin.<sup>51</sup>

34. Regardless of whether the government will call Erickson and/or Butina as witnesses, their connection to the account used as Abramoff's "money connection" to Mr. Andrade's business, especially when combined with their possession of AML Bitcoin materials and their involvement in other conduct with Abramoff, creates a sufficient chance that the information Mr. Andrade has requested from the government would aid the preparation of his defense, including but not limited to helping to identify Abramoff's motives and purposes for using the "money connection" account, for potentially laundering funds, for plotting to take over AML Bitcoin, for making and/or orchestrating alleged misrepresentations about AML Bitcoin and for hiding them from Mr. Andrade. The requested materials relating to Erickson and Butina would allow Mr. Andrade to fully investigate whether and to what extent Erickson's deposits into the Landfair Capital account may have actually been related to the AML Bitcoin project instead of relying on the government's assertion that these funds concerned a distinct lobbying effort. This Court should therefore compel the government to produce any and all materials relating to Maria Butina and Paul Erickson that are related to and/or concern Abramoff, Mr. Andrade, the AML Bitcoin project, and Mr. Andrade's related companies. *See United States v. Caicedo-Llanos*, 960 F.2d 158, 164 n.4 (D.C. Cir. 1992) ("To show materiality under this rule the defendant must demonstrate that the requested evidence bears some abstract logical relationship to the issues in the case."). The requested discovery items ought to be produced regardless of the form and manner in which those documents are held, including any applicable FISA records given Butina's

<sup>50</sup> See Exh. 5 (AUSA Dawson email to King & Spalding) (Oct. 29, 2022) (noting that Butina's 302 indicated she was interested in Bitcoin generally).

<sup>51</sup> See Exh. 19, FBI-GJ-0002203 (summarizing activity in Landfair Capital account in July 2018).

prosecution as an unregistered foreign agent.<sup>52</sup>

**Alexander Levin** (7/15/22 Letter, Req. #2).

35. Alexander Levin is a pro-Russia, Ukrainian-American businessman who retained Abramoff as a consultant to assist him with, among other things, efforts to interfere with Ukrainian politics based on a pro-Russia agenda. A 302 produced by the government, which is a partial review of evidence from one of Abramoff's cell phones, indicates that Levin communicated with Abramoff frequently during the timeframe relevant to this case regarding Ukrainian politics, and that through those discussions, Abramoff also introduced Levin to AML Bitcoin and discussed cryptocurrency more generally.<sup>53</sup> Additionally, the 302 shows that Levin's payments to Abramoff for his consulting services were paid into the same Landfair Capital account discussed above and were described as services for cryptocurrency consulting. *Id.* at 10. Regarding Levin, the defense has asked for: relevant materials from Levin's mobile devices, or copies of his iPhone and iPad that were seized by the government sometime between October 2019 and April 2020. Although the government has taken the position that Levin is not relevant to the case, the government reported on October 29 that "case agents have requested access to the case file relating to Alexander Levin and they will run searches for responsive materials."<sup>54</sup> More recently, on November 8, 2022, AUSA Dawson wrote that the agents had completed their search of Levin's file and "[g]iven that neither 'Andrade' nor 'AML Bitcoin' appears in the case file, there appears to be no basis beyond sheer speculation to justify a search of any devices that may have been seized and searched in that case."<sup>55</sup>

<sup>52</sup> Erickson would have been a legitimate candidate for a FISA warrant. He received a target letter from the U.S. government for acting as a foreign agent. On November 20, 2017, the FBI researched Putin ally Alexander Torshin's relationship with Butina and Erickson. *See* Exh. 32, FBI-Main-0000183. According to The Washington Post, the FBI seized from Erickson's residence a handwritten memo titled "Notes on Maria's 'Russian Patriots In Waiting' Organization." The memo included the question, "How to respond to FSB offer of employment?" Erickson's notes about joining the FSB would have also made him a legitimate candidate for FISA. *See* The Washington Post, *Alleged Russian Agent Maria Butina Ordered to Remain in Custody after Prosecutors Agree she has Ties to Russian Intelligence* (July 18, 2018). In addition, on Recording ID-39 (49:00–54:00), Abramoff and the FBI agents discuss that Erickson participated in and at times oversaw the Trump Transition Team, which means that Erickson (a convicted felon) may have viewed classified documents.

<sup>53</sup> *See* Exh. 11, FBI-302-005158, at 2.

<sup>54</sup> *See* Exh. 5, (AUSA Dawson email to King & Spalding) (Oct. 29, 2022).

<sup>55</sup> *Id.*

36. In addition to the reasons set forth above, determining whether and to what extent Abramoff's consulting work for Levin touched upon AML Bitcoin and whether related individuals involved Levin and Abramoff's political activities may have acquired an interest in AML Bitcoin is material to fully understanding the intersection between Mr. Abramoff's political associations and his involvement with AML Bitcoin. The government's basic search for "Andrade" and "AML Bitcoin" in Levin's case file is insufficient to identify the material responsive to this request for three reasons. **First**, searching the case file is not responsive to a request that also asked for a search of mobile devices—an appropriate request given the extent to which Abramoff communicated that way with others involved in wrongdoing and/or his AML Bitcoin-related conduct. **Second**, as explained above in the general discussion and in the discussion of Abramoff, Butina, and Erickson, even if Levin was not directly involved with Mr. Andrade or AML Bitcoin, learning of Abramoff's contemporaneous wrongdoing, his cryptocurrency consulting, and his activities with Levin is material to the preparation of Mr. Andrade's defense because it is likely to help understand why Abramoff was engaged in AML Bitcoin-connected wrongdoing that Abramoff was concealing from Mr. Andrade. **Third**, discovery already produced shows that Levin was connected to cryptocurrency consulting with Abramoff. This alone is a sufficient basis to believe Levin was connected in some way to Mr. Andrade and AML Bitcoin, because discovery reveals a pattern of concealment in the Abramoff-Levin communications, such that communications regarding AML Bitcoin and/or Mr. Andrade may have similarly been concealed through vague descriptors and shorthand, rendering the government's search inadequate, and because others with whom Abramoff discussed cryptocurrency consulting wound up acquiring AML Bitcoin through indirect methods.

37. At a minimum, according to the FBI's review of data on Abramoff's phone, it appears that Levin and Abramoff were planning a potential pro-Russia political campaign in Ukraine around the same time Abramoff invoiced Levin for \$750,000 in connection with "cryptocurrency consulting."<sup>56</sup> During Abramoff's interview with the FBI, he described several

<sup>56</sup> See Exh. 11, FBI-302-005158.

meetings with Levin relating to Ukrainian politics, including a meeting in Switzerland where Abramoff and Levin met with Ukrainian businessman Igor Kolomoyskyi.<sup>57</sup> Although that meeting focused entirely on Ukrainian politics, Abramoff recalled discussing cryptocurrency with Levin at a later meeting. Specifically, Abramoff recalled Levin expressing interest in retaining Abramoff for cryptocurrency consulting and asked Abramoff to prepare a contract proposal and invoice for cryptocurrency consulting services. It appears, however, that the contemplated cryptocurrency consulting services were purportedly not for Levin but rather for Kolomoyskyi. *See id.* (Abramoff recalling that “Levin probably needed to discuss the client identity with Kolomoyskyi”). Eventually, it appears Abramoff offered a “consultancy regarding digital currencies” for \$1.5 million to another prominent Ukrainian businessman, Gennaidy Bogolyubov, although it is unclear whether and to what extent any consulting work was actually performed or completed. *See id.* at 15.

38. Both Kolomoyskyi and Bogolyubov are suspicious characters. They are facing civil fraud claims in the U.K. related to their prior ownership of PrivatBank, where the two are alleged to have laundered billions of dollars prior to Ukraine’s forced nationalization of the bank. During that litigation, it was revealed that Kolomoyskyi has substantial Bitcoin holdings after investing in cryptocurrency mining operations.<sup>58</sup> Apparently having served as Abramoff’s point-of-contact with Kolomoyskyi and Bogolyubov, either Abramoff was providing real cryptocurrency consulting to Kolomoyskyi and Bogolyubov, or Abramoff was using the ruse of cryptocurrency consulting to hide his participation in other wrongful conduct with Kolomoyskyi and Bogolyubov. In either case, the government’s information about what actually happened would be material to the preparation of Mr. Andrade’s defense, because cryptocurrency consulting from Abramoff, given his extensive knowledge of and involvement with AML Bitcoin, would likely have addressed that currency, whether it was functioning, and what its attributes were, and because learning about his other wrongful activities could help explain why Abramoff was

<sup>57</sup> See Exh. 34, FBI-302-005432, at 5-12.

<sup>58</sup> *Former PrivatBank owner escapes UK court questioning over Bitcoin-related holdings*, MLEX (Feb. 24, 2021), available at <https://content.mlex.com/#/content/1267204>.

attempting to increase the value of AML Bitcoin and engage in the wrongdoing charged in the indictment while hiding that conduct from Mr. Andrade.

39. In any event, while the summary prepared by the FBI agents claims that the cryptocurrency consulting references in Abramoff's texts were unrelated to Abramoff's Ukrainian activities, there is considerable evidence that such a connection exists. *First*, after the agents had summarized messages relating to Abramoff's work for Levin and Abramoff explained that they need to set up a non-profit to coordinate their efforts "since guys will need to get paid and register before they'll do much more," Abramoff followed immediately, in the same message, with a description of the invoice for \$750,000 issued from Landfair for cryptocurrency consulting; this sequencing suggests that the \$750,000 invoice for cryptocurrency consulting could be a disguised payment for the Ukrainian project.<sup>59</sup> *Second*, in a 302 dated November 15, 2018, the case agents had reviewed evidence seized from Abramoff's house in Maryland, including evidence that indicated Abramoff's Ukraine projects were being paid for through cryptocurrency consulting.<sup>60</sup> A manilla folder found in a cardboard box behind Abramoff's desk had the words "A Levin" handwritten on its front and contained documents associated with two anti-Ukraine "campaigns," one of which is called "V/V" and the other "Anti-Corruption." The agents wrote that "[a]n overall review of the documents in this folder suggest that the two campaigns are somehow associated with the Government of the Ukraine. For example, one document seized from Abramoff's home included handwritten notes describing the formation of an "Anti-corruption group" and described "wires to US company (crypto-consult)" and "send Landfair" in relation to the Ukraine campaigns.<sup>61</sup> *Third*, Abramoff's acknowledgment that "guys will need to get paid," whether the payment was related to AML Bitcoin, cryptocurrency consulting, or some pro-Russia work in Ukraine, itself justifies the requested discovery because it is material to identifying a motive for the way in which Abramoff made and/or arranged for misrepresentations about AML Bitcoin and hid that conduct from Mr. Andrade.

<sup>59</sup> See Exh. 11, FBI-302-005158, at 10.

<sup>60</sup> See Exh. 35, FBI-302-001959, at 2.

<sup>61</sup> See Exh. 35, FBI-302-001959, at 2.

40. These are just a few examples of how Abramoff and Levin's political work referenced and/or was potentially intermixed with AML Bitcoin related activity. Contrary to the government's view that there is an AML Bitcoin bucket and another bucket for all of Abramoff's other political activity and business dealings, these buckets are intermixed. They are intermixed in the participants' own communications (including communications regarding AML Bitcoin directly),<sup>62</sup> and there is a reasonable likelihood that the payments are intermixed, showing how closely the supposedly separate buckets are connected. And, as noted above, even if they were not expressly interconnected in the communications or payments of the participants, the fact that they were going on at the same time suggests they will bear on the motives and purposes of what Abramoff was doing with AML Bitcoin. Ultimately, the government's response is insufficient and data from Levin's mobile devices ought to be fully produced to Mr. Andrade to enable the defense's expert investigators to fully and more accurately assess whether and to what extent Levin may have been involved with AML Bitcoin, and to assess the impact of Abramoff's involvement with Levin on Abramoff's AML Bitcoin-related motives and conduct, which were occurring contemporaneously. Also, Levin's mobile device is likely to have information that could confirm whether Abramoff did, in fact, provide cryptocurrency consulting services and whether Abramoff persuaded them to acquire AML Bitcoin, as he did with others for whom he performed such services. Determining whether and to what extent Abramoff's consulting work for Levin touched upon AML Bitcoin and whether related individuals involved with Ukrainian political activities may have acquired an interest in AML Bitcoin is material to fully understanding the intersection between Mr. Abramoff's political associations and his involvement with AML Bitcoin.

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**ComplyAdvantage** (5/10/22 Letter, Reqs. #5 & 6).

41. ComplyAdvantage is a RegTech company that provides anti-money laundering technology and, among other things, performs monitoring of transactions for cryptocurrency

<sup>62</sup> See Exh. 11, FBI-302-005158, at 10-12 (noting that Abramoff, who invoiced Levin for cryptocurrency consulting on June 10, 2018, texted Levin a link to an AML Bitcoin video with the password "aml123" on August 14, 2018).

1 companies to help ensure they are in compliance with regulations and to counteract financial crime.  
2 ComplyAdvantage monitored all of the AML Bitcoin transactions. The defense has asked for any  
3 302s, recordings, or other documents relating to ComplyAdvantage's monitoring of AML Bitcoin  
4 transactions, including any transaction monitoring data that was provided to the government.  
5 During our October 3 meet and confer, we told the prosecutors that we know that FBI Special  
6 Agent Wynar contacted Angela Generosa regarding Mr. Andrade's case. Ms. Generosa worked  
7 for ComplyAdvantage and was assigned to manage AML Bitcoin's account. The government  
8 responded it has not been able to find responsive documents and that the name "Generosa" does  
9 not appear in the case file. In our October 14 letter to the government, we provided the government  
10 with evidence that records seized from Mr. Andrade's office include an agreement between Mr.  
11 Andrade and Ms. Generosa regarding her work for the AML Bitcoin project.<sup>63</sup> Mr. Andrade also  
12 believes that the records seized from his office by the FBI included the monitoring data  
13 ComplyAdvantage generated for AML Bitcoin. Even if Agent Wynar did not prepare a 302 after  
14 he spoke with Ms. Generosa, he presumably would have taken notes that, absent a 302, should be  
15 produced, along with any monitoring data and anything else obtained from ComplyAdvantage.  
16 Those notes, and any documents obtained from ComplyAdvantage, would undermine the  
17 government's claim that Mr. Andrade did not have the technology he claimed to have. Records of  
18 monitoring and suspicious activity in AML Bitcoin also would bear on that claim and potentially  
19 refute it.

20 **Search Warrants and Subpoenas** (7/15/22 Letter, Req. #12).

21 42. We provided the government with a list of names for which we wanted any search  
22 warrants, affidavits in support of probable cause, subpoenas, and fruits of subpoenas that reference  
23 AML Bitcoin or Mr. Andrade.<sup>64</sup> The government replied that "many of the names listed in Request  
24 #12 are not relevant to this case."<sup>65</sup> The prosecutors, however, do not indicate *which* ones are not  
25 relevant, nor have they provided any documents responsive to this request. At the very least, the  
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27 <sup>63</sup> See Exh. 36, FBI-00024101.

28 <sup>64</sup> See Exh. 9 at 2.

<sup>65</sup> See Exh. 37 (AUSA Weingarten letter to King & Spalding) (Aug. 9, 2022).



1 government's response implies that *some* of the individuals and entities identified by Mr. Andrade  
2 are, in fact, relevant to the present matter and this Court ought to compel the government to (1)  
3 identify which individuals and entities it believes are not relevant, and (2) produce any and all  
4 search warrants, related applications, and fruits of those searches for those individuals and/or  
5 entities the government identifies as relevant.

6 43. All of the individuals and entities identified by Mr. Andrade's discovery request  
7 are material to our preparation of Mr. Andrade's defense because they have either direct or indirect  
8 ties with AML Bitcoin. For example, discovery confirms that NAC hired "ICOBox"—one of the  
9 entities identified in the July 15 letter<sup>66</sup>—and used their Initial Coin Offering (ICO) platform to  
10 aid in the AML Bitcoin ICO and assist with marketing efforts more generally.<sup>67</sup> Additionally, we  
11 understand Alex Moskovsky, Daria Generalova, Anar Babayev, Nickolay Evdokimov, Michael  
12 Raitsin, Gary Baiton, Vladimir Sofrono, and others were associated with ICOBox. Others on the  
13 list—including Richard Naimer, Dana Rohrabacher, Natko Vlahovic, Carlos De La Guardia, and  
14 Ricardo "Catin" Vasquez—were associated with NAC.<sup>68</sup> Still others, including Brian Darling,  
15 Cory Lewandowski, and Turnberry Solutions, were directly involved in the NAC marketing  
16 campaign.<sup>69</sup> In addition, given what we have demonstrated so far, the wrongdoing in which these  
17 individuals were involved while working on AML Bitcoin and/or with Abramoff has a reasonable  
18 likelihood of bearing on what was going on at AML Bitcoin behind Mr. Andrade's back and  
19 therefore is material to the defense. Moreover, there have been numerous times that the  
20 government has been dismissive and wrong about what is or is not material to our preparation of  
21 Mr. Andrade's defense, when in fact what was being requested turns out to be material.

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24 <sup>66</sup> See Exh. 9 at 2, Request #12.

25 <sup>67</sup> See Exh. 38, FBI-00053106 (email from ICO Box to Marcus Andrade regarding work performed on the AML  
Bitcoin project).

26 <sup>68</sup> See, e.g., Exh. 39, FBI-302-005052 (Naimer telling FBI that AML Bitcoin technology did exist and said CrossVerify  
was "breakthrough technology;" John Bryan mentioning to Naimer that the Super Bowl ad was very valuable; and  
Naimer speaking to the Port of San Francisco about CrossVerify, on behalf of NAC).

27 <sup>69</sup> See, e.g., Exh. 40, FBI-00085814 (Darling and Abramoff discussing a proposed marketing strategy); Exh. 26, FBI-  
302-004928 (detailing Darling's efforts to market AML Bitcoin); Exh. 41, FBI-GJ-0000349 (Darling referencing the  
Super Bowl ad and Lewandowski's social media post regarding the same); Exh. 42, FBI-00083490 (consulting  
28 agreement between NAC Foundation and Turnberry Solutions).

44. A key anticipated theme of Mr. Andrade's defense is that Abramoff regularly marshalled the AML Bitcoin marketing efforts without Mr. Andrade's involvement. To the extent there are unproduced materials seized by the government from these individuals and entities that were also involved in AML Bitcoin marketing, defense counsel anticipates those materials may include further evidence of Abramoff's efforts to lead AML Bitcoin marketing efforts. Critically, there may also be materials unrelated to AML Bitcoin but nevertheless demonstrate a pre-existing relationship between Abramoff and others connected to AML Bitcoin that may help explain their motivations for being involved in the AML Bitcoin project and why some of these marketing efforts were hid from Mr. Andrade. Search warrants, subpoenas, and related documents that pertain to Mr. Andrade, NAC Foundation, Abramoff, or AML Bitcoin should be produced regardless of whether they are categorized by the FBI as being part of this investigation or some other one. This Court should therefore compel the government to specify which individuals and/or entities from defense counsel's July 15 discovery letter the government views as relevant to the present case and compel the production of any search warrants, affidavits, and fruits of searches executed against those individuals/entities.

**Privilege Log for Abramoff Cell Phone (5/10/22 Letter, Brady Req. #2).**

45. The first page of the Cellebrite file containing Abramoff's phone, as produced by the government, indicates that Special Agent Quinn removed items that were "potentially privileged."<sup>70</sup> Defense counsel has requested, but has not received, a privilege log for the items that were removed from Jack Abramoff's phone before it was produced, or any indication of what material—whether privileged or not—was removed from Abramoff's phone.

46. Because government reports show that items were removed from Abramoff's phone, Mr. Andrade should be provided with a record of what was removed, and, if the removal was on grounds of privilege, he should be provided a privilege log. Where, as here, potentially privileged communications are removed from the device of an alleged co-schemer or co-conspirator by the government, a criminal defendant ought to be afforded a privilege log

<sup>70</sup> See Exh. 18 (screenshot of the Cellebrite file of Abramoff's phone).

identifying the communications removed, all relevant participants in those communications, and a general description of the subject matter of the communications to afford defendants the opportunity to challenge the potential privilege claims and seek discovery of potentially exculpatory material. In fact, courts have ordered pre-trial disclosure of potentially privileged communications made by co-conspirators notwithstanding potential privilege claims, noting those statements could be admitted as impeachment evidence and/or co-conspirator statements and explaining that “[it] is simply not fair” for defendants to learn of potential admissibility and contents of such statements “in the midst of trial” because “the [contents] and the fact that it may be admissible at trial are critical pieces of information to consider as [the defendant] prepares for trial and crafts his defense strategy.” *See United States v. Nicholas*, 594 F. Supp. 2d 1116, 1128 (C.D. Cal. 2008) (ordering disclosure to defendant of a communication between his alleged co-conspirator and his wife, noting that the communication could be admissible at trial despite the potential protection under the marital communications privilege). Mr. Andrade needs to know now what was removed from his co-schemer’s iPhone based on purported privilege so that he can adequately prepare his defense.

47. Without the requested privilege log, Mr. Andrade has no sightlines into the “potentially privileged” items that were removed from Abramoff’s cellphone and whether any of those items are exculpatory and/or material to developing Mr. Andrade’s defense strategy. And given that Abramoff’s two-count information named Mr. Andrade as a co-conspirator, the government could potentially seek to introduce some of those “potentially privileged” items at trial. Obtaining a privilege log of the items removed would afford Mr. Andrade the opportunity to identify potentially exculpatory evidence for further discovery requests and/or give notice of potentially admissible statements that would help Mr. Andrade craft his defense strategy. This Court should therefore compel the government to produce a privilege log for the items removed from Abramoff’s cellphone.

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1 I declare under penalty of perjury under the laws of the United States that the foregoing is  
2 true and correct.

3 Executed on November 23, 2022, at Reading, Pennsylvania.

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5 /s/ Kerrie C. Dent

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## FEDERAL BUREAU OF INVESTIGATION

**\*\*Didn't reference the ABTC messages, Landfair, Blockchain Entertainment.**

Date of entry 03/22/2023

The purpose of this report is to examine four files for information relevant to Marcus Andrade, the NAC Foundation, and AML Bitcoin. The Microsoft excel files being reviewed were extractions of a cell phone belonging to Alexander Levin obtained in March 2020 pursuant to a search warrant. The search warrant was conducted as part of FBI case number 56D-NY-2989379. The files were provided to agents by Assistant United States Attorney (AUSA) Rebekah Donaleski from the Southern District of New York.

The methodology used to examine this material was straightforward. SA Wynar examined each file and read each entry seeking any information even tangentially associated with Andrade, the NAC Foundation, or AML Bitcoin. After the examination, SA Wynar ran the following search terms on each file: "Andrade", "Marcus", "NAC", "Bitcoin", "AML", "Landfair", "Abramo", "crypto", "Butina", "Erickson", and "investment". SA Wynar noted that "Abramoff" was written in Levin's phone as "Abramovv" which is why the search term "Abramo" was used. In addition, some of the material on the phone was in the Cyrillic alphabet and this material was not reviewed. The results of this examination were as follows:

**Regarding the file with the filename,  
"1B83\_MMS\_PrivReviewComplete\_NoRedactions\_2020-03-27-Excel":**

No pertinent information was discovered in this file. Searches with the relevant search terms did not yield any pertinent information.

**Regarding the file with the filename, "1B83\_SMS\_PrivReveiwComplete\_No Redactions\_2020-03-27 -Excel":**

SA Wynar reviewed the spreadsheet column labeled "messages" and found the following material:

A few text messages between Assaf Halkin and Levin starting on January 13, 2019 referenced a "cyber company" possibly named "Merlinx". Halkin is not known by the FBI to be relevant to the investigation of Andrade, Andrade's companies, or Andrade's associates. Merlinx is not known by the FBI to be relevant either. This conversation is non-pertinent. These text messages are

**\*Dishonest Reporting**

Investigation on 03/20/2023 at Washington, District Of Columbia, United States (In Person)

File # 58D-SF-2113481-302

Date drafted 03/20/2023

by ROAHN WYNAR, Brendon Zartman

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

58D-SF-2113481-302

(U) Review of material associated with the  
Continuation of FD-302 of cellphones of Alexander Levin, On 03/20/2023, Page 2 of 3

mostly redundant with messages found in one of the other three reviewed spreadsheets (see below).

No pertinent information was found in this spreadsheet. Searches with the relevant search terms did not yield any pertinent information.

**Regarding the file with the filename,  
"1B83\_Chats\_PrivReviewComplete\_RedactionsMade\_2020-03-27":**

SA Wynar reviewed the spreadsheet columns labeled, "Body", and "Participants" and found the following material:

Levin exchanged chat messages with Jack "Abramovv". Only one message was relevant to the search terms. That message read (errors as in the original),

"also, the Landfair Crypto memo I gave you was from another project, so probably best to hold it for now and I'll get you a separate one for ours once i know more on the budget situation"

The FBI is not aware of any connection between the content of this text message and Andrade, Andrade's companies, or Andrade's associates. None of the other text messages between Levin and Abramovv was relevant to Andrade.

A search of the term "crypto" yielded a few text messages between Levin and a person named "Alexy Konshin." These text messages referred to a cryptocurrency project called "CryptoRun" but the text messages lacked any useful specificity. The FBI is unaware of any connection between either Konshin or CryptoRun and Andrade. These texts were not pertinent.

Text messages between Assaf Halkin and Levin regarding a "cyber" company (Merlinx) investment were discovered in this spreadsheet. These messages were not pertinent. These messages were mostly redundant with messages found in one of the other three spreadsheets reviewed in this report (see above).

No pertinent information was found in this spreadsheet. Searches with the relevant search terms did not yield any pertinent information.

**Regarding the file with the filename, "levin\_-  
\_kolomoisky\_chat\_translation":**

SA Wynar reviewed the spreadsheet columns labeled, "Body Translation" and found no pertinent information. Searches with the relevant search terms did not yield any pertinent information.

58D-SF-2113481-302

(U) Review of material associated with the  
Continuation of FD-302 of cellphones of Alexander Levin, On 03/20/2023, Page 3 of 3

SA Brendon Zartman compared text strings between two devices to see if there were any differences or deleted messages in one, not included in the other; Alexander Levin's phone (646-660-3488) and Jack Abramoff's phone, (202-236-9706):

1. Levin's cell phone, "**1B83\_Chats\_PrivReviewComplete\_RedactionsMade\_2020-03-27**"

2. Jack Abramoff's minimized (post taint) Cellebrite extraction included within serial 653/654, 1A-341 of captioned case file.

The text strings in both of the phones were identical except for the images/links that did not appear within Levin's cell phone extraction in Excel format. This minor difference appeared to be a limitation of Microsoft Excel and not a difference between the two devices.



-----  
[REDACTED]@whatsapp.net A Levin

Timestamp: 5/31/2018 6:42:14 AM(UTC-4)

Source App: WhatsApp

Body:

You ask me to call you from this phone to day on a morning .

-----  
[REDACTED]@whatsapp.net A Levin

Timestamp: 5/31/2018 6:42:35 AM(UTC-4)

Source App: WhatsApp

Body:

I am you friend Aron

-----  
[REDACTED]@whatsapp.net Jack Abramoff

Timestamp: 5/31/2018 1:56:37 PM(UTC-4)

Source App: WhatsApp

Body:

Aron Levy? Pls forgive me but how do we know each other?

-----  
From: 380-[REDACTED]@whatsapp.net A Levin

Timestamp: 5/31/2018 3:15:11 PM(UTC-4)

Source App: WhatsApp

Body:

Telephone calls between P. and P.: 07.05. 4 times. duration19 min.42sec;

08.05. 2 times, duration.16M.07sec;

09.05. duration.13 M.27s.;

13.05. 1 time. duration.07M.02 s.; 15.05. 2 times. duration.3 min.02 s.

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[REDACTED]@whatsapp.net Jack Abramoff

Timestamp: 6/1/2018 9:40:51 AM(UTC-4)

Source App: WhatsApp

Body:

How many hours before Shabbat for you?

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[REDACTED]@whatsapp.net A Levin

Timestamp: 6/1/2018 9:43:02 AM(UTC-4)

Source App: WhatsApp

Body:

3,5

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[REDACTED]@whatsapp.net A Levin

Timestamp: 6/2/2018 4:13:26 PM(UTC-4)

Source App: WhatsApp

Attachments:

#1: chats\WhatsApp\attachments1\c5e00aca-ab52-4bf3-a76c-702025b4395b.pdf

Body:

55783

-----  
[REDACTED]@whatsapp.net A Levin

Timestamp: 6/2/2018 4:16:49 PM(UTC-4)

Source App: WhatsApp

Body:

First step for Oscar

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[REDACTED]@whatsapp.net Jack Abramoff

Timestamp: 6/2/2018 9:22:35 PM(UTC-4)

Source App: WhatsApp

Body:

let's chat tomorrow morning

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[REDACTED]@s.whatsapp.net Jack Abramoff

Timestamp: 6/3/2018 10:59:16 AM(UTC-4)

Source App: WhatsApp

Body:

my guys will be meeting at WH on ambassador on Wednesday morning. Can you get me anything you might have on the current ambassador by Tuesday? we're digging around as well, but if you have specific stuff it will help. thanks

-----  
[REDACTED].s.whatsapp.net Jack Abramoff

Timestamp: 6/3/2018 11:00:23 AM(UTC-4)

Source App: WhatsApp

Body:

can you chat?

-----  
[REDACTED].s.whatsapp.net A Levin

Timestamp: 6/3/2018 12:05:09 PM(UTC-4)

Source App: WhatsApp

Attachments:

#1: chats\WhatsApp\attachments1\40dd9aa8-2f99-4ea3-b9c0-56dab38b741e.thumb

Body:

<http://www.dsnews.ua/economics/turtsiya-a-ne-izrail-chto-proizoshlo-vokrug-kontrakta-na-30112017155100>

-----  
[REDACTED]@s.whatsapp.net A Levin

Timestamp: 6/3/2018 12:07:26 PM(UTC-4)

Source App: WhatsApp

Body:

Elbit

-----  
[REDACTED]@s.whatsapp.net Jack Abramoff

Timestamp: 6/3/2018 12:08:33 PM(UTC-4)

Source App: WhatsApp

Body:

perfect

-----  
[REDACTED]@s.whatsapp.net A Levin

Timestamp: 6/3/2018 12:17:40 PM(UTC-4)

Source App: WhatsApp

Body:

<http://www.theinsider.ua/business/592ed24eed43c/>

-----  
[REDACTED]@s.whatsapp.net Jack Abramoff

Timestamp: 6/3/2018 12:32:36 PM(UTC-4)

Source App: WhatsApp

Body:

is there any way to get something reported anywhere about how the US ambassador told the Israelis to jump in the lake on this? if we could get something, anything, anywhere, that would really be helpful. we don't have anything linking Yovanovitch to this.

-----  
[REDACTED]@s.whatsapp.net A Levin

Timestamp: 6/10/2018 11:55:57 AM(UTC-4)

Source App: WhatsApp

Body:  
Shalom

-----  
[REDACTED]@s.whatsapp.net Jack Abramoff

Timestamp: 6/10/2018 2:14:26 PM(UTC-4)

Source App: WhatsApp

Body:  
Shalom

-----  
[REDACTED]@s.whatsapp.net A Levin

Timestamp: 6/10/2018 3:58:37 PM(UTC-4)

Source App: WhatsApp

Body:  
Any news ?

-----  
[REDACTED]@s.whatsapp.net Jack Abramoff

Timestamp: 6/10/2018 4:00:07 PM(UTC-4)

Source App: WhatsApp

Body:  
nothing yet, but working on stuff today and meetings tomorrow. i should have something on the overall effort shortly. have you set up the non-profit? we need that to do much more, since guys will need to get paid and register before they'll do much more. please let me know. thanks

-----  
[REDACTED].whatsapp.net A Levin

Timestamp: 6/10/2018 4:05:03 PM(UTC-4)

Source App: WhatsApp

Body:  
Let's tock tomorrow

-----  
[REDACTED].whatsapp.net Jack Abramoff

Timestamp: 6/10/2018 6:25:32 PM(UTC-4)

Source App: WhatsApp

Body:  
sounds good. Please let me know what time works for you. I am working on the following:

1. Removing the Ambassador (priority)
2. Sanctions
3. US version of Servant of the People

I need the following from you as soon as possible:

1. Name/address/head of non-profit
2. Vataliy book so we can fashion a Ukraine 2030 program for here
3. English (subtitled?) videos of the journalists reporting on P corruption

I am attaching a proposal, contract and invoice for the cryptocurrency consultancy we discussed, as you recall. Please facilitate a wire as soon as you can.

I need to get the other DC consultants hired by the non-profit, so please let's discuss this tomorrow.

-----  
[REDACTED]@s.whatsapp.net Jack Abramoff

Timestamp: 6/10/2018 6:26:00 PM(UTC-4)

Source App: WhatsApp

Attachments:

#1: chats\WhatsApp\attachments1\44de9b85-6a2c-4ee5-a3a2-0d14a17d2c88.pdf

Body:

Landfair Invoice 2018-06-10.pdf

-----  
[REDACTED]@s.whatsapp.net Jack Abramoff

Timestamp: 6/10/2018 6:26:00 PM(UTC-4)

Source App: WhatsApp

Attachments:

#1: chats\WhatsApp\attachments1\aa6743eb-2568-4e0d-9fab-4c027dd99df2.pdf

Body:

Landfair Cryptocurrency Project.pdf

-----  
[REDACTED]@s.whatsapp.net Jack Abramoff

Timestamp: 6/10/2018 6:26:00 PM(UTC-4)

Source App: WhatsApp

Attachments:

#1: chats\WhatsApp\attachments1\7f4a22b2-ee4d-4222-9c08-4e413843cf75.pdf

Body:

Landfair Cryptocurrency Project Agreement.pdf

-----  
[REDACTED]@s.whatsapp.net Jack Abramoff

Timestamp: 6/11/2018 4:49:04 PM(UTC-4)

Source App: WhatsApp

Body:

I tried to call you. Pls call when you have time

-----  
[REDACTED]@s.whatsapp.net A Levin

Timestamp: 6/14/2018 12:25:44 PM(UTC-4)

Source App: WhatsApp

Body:

Can we tock ?

-----  
[REDACTED]@s.whatsapp.net A Levin

Timestamp: 6/14/2018 6:54:43 PM(UTC-4)

Source App: WhatsApp

Body:

<http://u-e-p.eu/en/startup-home/>

-----  
[REDACTED]@s.whatsapp.net Jack Abramoff

Timestamp: 6/14/2018 7:04:18 PM(UTC-4)

Source App: WhatsApp

Body:

super. can you get me the name of someone there who will sign the consultant's retainer agreements?

-----  
[REDACTED]@s.whatsapp.net Jack Abramoff

Timestamp: 6/17/2018 1:06:10 PM(UTC-4)

Source App: WhatsApp

Body:

[REDACTED]  
[REDACTED]  
let me know where we stand on things so I can set in motion what I can before hand. in general, we have a lot to do before the end of the year, and delays are not our friend.

-----  
[REDACTED]@s.whatsapp.net A Levin

Timestamp: 6/17/2018 3:52:12 PM(UTC-4)

Source App: WhatsApp

Body:

[REDACTED] will get back to you AS PS

Source App: WhatsApp

Body:

Ok

-----  
[REDACTED]510@s.whatsapp.net A Levin

Timestamp: 7/12/2018 7:00:25 PM(UTC-4)

Source App: WhatsApp

Body:

What time you can joined me tomorrow morning?

-----  
[REDACTED]706@s.whatsapp.net Jack Abramoff

Timestamp: 7/12/2018 7:01:01 PM(UTC-4)

Source App: WhatsApp

Body:

depending on traffic, sometime between 9:30 and 10 am, i think. does that work?

-----  
[REDACTED]2510@s.whatsapp.net A Levin

Timestamp: 7/12/2018 9:14:24 PM(UTC-4)

Source App: WhatsApp

Body:

OK

-----  
[REDACTED]@s.whatsapp.net Jack Abramoff

Timestamp: 7/15/2018 2:10:26 PM(UTC-4)

Source App: WhatsApp

Body:

Hi Alexander. I hope you had a nice Shabbos and that your mother is doing better.

I have attached several documents:

1. revised agreement with Landfair (it is now \$500,000 instead of \$750,000 as we discussed)
2. Invoice from Landfair for this amount
3. Term Sheet from Blockchain Entertainment (including payment information) to do development of Servant of the People for the US. This one is \$200,000 as we discussed.

Please let me know the names of the companies that will be doing these contracts, since we will need to provide these to the banks here since the wires are coming from overseas.

Also, I was thinking that, as an alternative, we could probably just combine the payments into one payment for \$700,000 and just do it all as "development" for the show (and cover the other costs that way), and eliminate Landfair from the process. It seems to me that the tv show development would be cleaner, from this side. But either way is good for us.

We will need to give our bank advanced notice of the wires and which country they are coming from so they don't flag and hold them for AML/KYC concerns. So please get me the names for the contracts as soon as you can and the banks/nations from which the wires will originate so we can proceed with the wires and the project.

-----  
[REDACTED]@s.whatsapp.net Jack Abramoff

Timestamp: 7/15/2018 2:11:01 PM(UTC-4)

Source App: WhatsApp

Attachments:

#1: chats\WhatsApp\attachments1\951d691f-9bc6-48bc-b2d8-41c5a7e4e683.pdf

Body:

"Servant of the American People" TERM SHEET.pdf

-----  
[REDACTED]@s.whatsapp.net Jack Abramoff

Timestamp: 7/15/2018 2:11:01 PM(UTC-4)

Source App: WhatsApp

Attachments:

#1: chats\WhatsApp\attachments1\4e02bf2e-d619-45b4-a9dd-5da89dd2ee2e.pdf

Body:

Landfair Cryptocurrency Project Agreement.pdf

-----  
[REDACTED]@s.whatsapp.net Jack Abramoff

Timestamp: 7/15/2018 2:11:01 PM(UTC-4)

Source App: WhatsApp

Attachments:

#1: chats\WhatsApp\attachments1\b4ca491e-2203-429a-9f45-738f7faf6f48.pdf

Body:

Landfair Invoice 2018-07-15.pdf

-----  
[REDACTED]@s.whatsapp.net A Levin

Timestamp: 7/15/2018 4:24:27 PM(UTC-4)

Source App: WhatsApp

Body:

Ok

-----  
[REDACTED]@s.whatsapp.net Jack Abramoff

Timestamp: 7/15/2018 5:10:21 PM(UTC-4)

Source App: WhatsApp

Body:

let me know what you think of the alternative approach when you can. If you want to do that, I'll get you a different Term Sheet, and we can ignore the Landfair stuff.

-----  
[REDACTED]@s.whatsapp.net A Levin

Timestamp: 7/15/2018 5:16:02 PM(UTC-4)

Source App: WhatsApp

Body:

We can tock tommorow

-----  
[REDACTED]@s.whatsapp.net Jack Abramoff

Timestamp: 7/15/2018 5:16:12 PM(UTC-4)

Source App: WhatsApp

Body:

ok

-----  
[REDACTED]@s.whatsapp.net Jack Abramoff

Timestamp: 7/16/2018 9:37:13 AM(UTC-4)

Source App: WhatsApp

Body:

Please let me know what times work to chat today

-----  
[REDACTED]@s.whatsapp.net Jack Abramoff

Timestamp: 7/18/2018 7:02:16 PM(UTC-4)

Source App: WhatsApp

Body:

Sigal mandelker

From: 380685302510@s.whatsapp.net A Levin

Timestamp: 7/18/2018 7:59:24 PM(UTC-4)

Source App: WhatsApp

Body:

Thank you

-----  
[REDACTED]@s.whatsapp.net A Levin

Timestamp: 7/18/2018 9:39:59 PM(UTC-4)

Source App: WhatsApp

Body:

T

-----  
[REDACTED]@s.whatsapp.net A Levin

Timestamp: 7/19/2018 3:12:49 AM(UTC-4)

Source App: WhatsApp

Body:

Schindler list :

-----  
[REDACTED]@s.whatsapp.net A Levin

Timestamp: 7/19/2018 3:13:15 AM(UTC-4)

Source App: WhatsApp

Body:

- 1)Ihor Vitaliyovych Kononenko
- 2)Oleh Volodymyrovych Hladkovsky
- 3)Borys Lozhkin
- 4)Ivanchuk Andrii Volodymyrovych
- 5)Mykola Martynenko
- 6)Hranovskyi Oleksandr
- 7) Valeriya Gontaryeva

8) Ekaterina Rozhkova

9) Serhii Volodymyrovych Pashynskyi

10) Ihor Rainin

-----  
[REDACTED]@s.whatsapp.net Jack Abramoff

Timestamp: 7/31/2018 9:02:03 AM(UTC-4)

Source App: WhatsApp

Body:

when can you chat?

-----  
[REDACTED]@s.whatsapp.net A Levin

Timestamp: 7/31/2018 11:17:59 AM(UTC-4)

Source App: WhatsApp

Body:

Can I call you now ?

-----  
[REDACTED]@s.whatsapp.net Jack Abramoff

Timestamp: 7/31/2018 11:18:34 AM(UTC-4)

Source App: WhatsApp

Body:

Yes

-----  
[REDACTED]@s.whatsapp.net A Levin

Timestamp: 7/31/2018 11:24:38 AM(UTC-4)

Source App: WhatsApp

Body:

Its number 1 in Schindler List



J.A. 2-25-20

101 California, 35<sup>th</sup> floor

Regarding Ukraine:

May 9, 2018 JA got a call from then Congressman Dana Rohrabacher who put JA in touch with Vitale Skotsyk. Chairmain of European sub committee of foreign relations. Rohrabacher stated he was meeting with Skotsyk who was planning to run for president of Ukraine. Rohrabacher said JA would help Skotsyk with the campaign. Exchanged contact info through Whatsapp. Set to meet the next morning. Dana was with Skotsyk in person. Skotsyk got on the phone.

May 10, 2018, JA met outside of Trump hotel in D.C. met with Skotsyk in person. Skotsyk wanted to talk inside the hotel. JA tried to avoid the Trump hotel due to the visibility of the Trump hotel. JA wanted to go somewhere else so as not to be seen with JA. Agreed to meet at a coffee shop down the street.

Skotsyk considering running under agrarian party (farmers/workers party) free market conservative (Rhorbacher supported him) thinking of running for president and wanted JAs help. JA thought they wanted him to work on the campaign in Ukraine. Skotsyk wanted help in the USA instead to get visibility if he were to run. He asked to meet president trump. JA said that wouldn't be likely. JA said he couldn't do that anyway. Skotsyk asked what he could do in the US with Alexander Levin who he identified as his campaign advisor. JA recommended his friend Aram Shabib to help them in Ukraine. Nothing materialized with that recommendation. JA texted with LEVIN.

May 16, 2018 texted Levin about meeting in DC. On May 17, 2018 JA picked him up at Union Station in New York. Levin's mother lived in one of the NY boroughs and she was ill. He was visiting her. Met at Charbar restaurant in DC for lunch. Levin had partners who were interested in replacing Petro Poroshenko who was then president. They believed Poroshenko was corrupt. Although they liked Skotsyk they also liked Zelensky also who was a comedian and an actor. They were deciding between the two. JA thought that sounded similar to US political figures. Zelensky was start of a show called servant of the people. He was a high school teacher who went on a rant about corruption in the Ukraine. He won the presidency in a write in due to a rant filmed by a student (show summary). JA mentioned that would be a great show in the US. Levin was trying to choose a candidate between the two.

Who ever didn't run for president would run for prime minister (between Volodymyr Zelensky or Skotsyk). That didn't materialize, as the prime minister was somebody else. JA assumed these power brokers had control of political parties. Levin appeared to be representing other people. JA did not know who "they" were that Levin represented. Levin had no interest in JA helping with the campaign. Levin said they knew how to run campaigns in the Ukraine. JA dropped the pitch. Levin wanted JA's help in another mission. The mission was to expose in the United States the extent to which Poroshenko, then president, was corrupt. And was in fact doing evil things like staking government assets. They had a voluminous amount of materials showing corruption of Poroshenko. Levin said the materials were in the hands of the prosecutors in the Ukraine. They included extensive information about the relationship between Joe Biden son's activity in the Ukraine. Who was involved in shady oil dealings in the Ukraine. Mentioned that Biden himself had made trips to Ukraine since he was out of office (up to 10 trips).

Claimed that Biden was paid money himself by Poroshenko. They wanted to leverage that information to get Trump to endorse their candidate.

Levin wanted JA to arrange for a State prosecutor (arrange meeting) with evidence of corruption with then attorney General Jeff Sessions. JA said he didn't have a relationship with Sessions. Levin wanted one of the candidates JA to be introduced to Trump, Sessions, JA said no.

Asked if JA could create a program to get exposure for one of their candidates in the United States. JA offered an idea to do a US format of Volodymyr Zelensky's TV show. Zelensky could be one of EP's. Levin said the show was owned by 1+1 network. Levin mentioned the owner of the network was Igor Kolomoisky. Levin didn't mention that Kolomoisky was behind all of this effort. Levin was intrigued by the show.

Levin mentioned that they had tried to contact DOJ or the Attorney general themselves, and were unsuccessful. At one point Levin said she was hostile to Trump and openly critical of Trump. They made getting rid of her one of their goals. JA doesn't know their motive.

Levin mentioned Ambassador Yavonivich at one of the meetings. JA had met others and nobody seemed to like her. JA's impression based on discussions with conservatives that Victoria Nulin who was assistant secretary of state for OBAMA and her folks...?

They left it that JA would come up with a plan to expose the corruption. Ended meeting. JA did not take notes. JA created notes and the chart afterwards.

May 24<sup>th</sup>, 2018, texted Levin and said he came up with a plan and should meet. Levin said JA should come to Geneva and meet with him and others to present the plan. JA agreed. Levin agreed. JA departed on May 29<sup>th</sup> and checked into Ritz Carlton hotel. Levin was late as he was at an Airshow. Levin showed up in the late afternoon. They walked to another building. JA didn't know who he was going to be meeting with. JA saw Kolomoisky's name somewhere. JA had met Kolomoisky's partner, Bololuga who was a partner in Prevak Bank about helping them. Bololuga said they were partners and said Kolomoisky was loud and caused the bank to be privatized. JA met with Bololuga years ago.

In the building, Kolomoisky came in. Levin may have translated the meeting. Kolomoisky may not speak English. JA went through the plan. Levin later said that Kolomoisky and Zelensky were partners in the TV show. The meeting was 1.5 hours. Kolomoisky only said thank you.

JA went to have dinner together with only Levin at a Kosher Japanese restaurant. JA took notes on his computer for this meeting. Levin was a religious person (Jewish). Levin wanted to know if US was sanctioning certain corrupt Ukrainians (sent list in PDF/text). Levin was constantly asking JA to do it. JA didn't do it as he wasn't hired. Levin said something was already in progress (list was being handled by someone). Levin called it Schindler's or "cronie" list via text. PDF version didn't have nick name. This was a list of people he thought were deserving of being sanctioned and there was some agency who was working on sanctioning them in some way. Levin wanted JA to look into the status of these people (were they sanctioned or when would they be sanctioned).

Levin later whatsapp'd JA from another phone and introduced himself as Arob?

Talked about Ukraine lobbyists in the USA.

Levin talked about how this campaign would be structured. Levin said he didn't want it to be seen that he was behind this. JA said there were rules about this (control of the groups that hire people). He was adamant about not being exposed. US lobbyist had to register and needed to identify a Ukrainian US spokesperson. Not a oligarch or political hack.

Levin said they had videos made by journalists that were up on Kolomoisky's TV network that explained all the corruption. The journalists had to flee and some were taken into custody/hurt. Levin said these videos were in Russia/Ukraine. Levin said he would raise that with Kolomoisky as his network owned the videos.

They then discussed US ambassador (marie yovanovitch) and Biden. Levin said she was involved in corruption with Biden. Levin said he would get JA the proof of actual incidents where the ambassador was doing things that were inappropriate. JA never received that.

Later discussed Michael Cohen. Levin said Cohen received a payment from Poroshenko and it was all fake. It was a setup by Poroshenko in order to embarrass trump, NFI. Levin may have meant Paul Manafort and said Cohen on accident. Levin mentioned that Rhorabacher should stay away from Yuri Banadick who is a lobbyist in the United States who was corrupt. Levin said he had many connections in Washington DC and his connections knew about the problem with Banadick.

Levin said Poroshenko was a tool of Putin. Levin texted JA information about phone calls between Putin and Poroshenko

June 2, 2018 Levin was pressuring JA about the cronie list and to remove the US ambassador. JA claimed his "people were looking into it". This was fictional. JA was really waiting to see if they would be engaging him (\$) before actually doing the work. Levin provided the background of Elbit?

Attaching crypto currency proposal attached (invoice) from Landfair.

Non profit would be the lobbying campaign.

The production companies were set up for the purpose of AML bitcoin TV show.

On the 14<sup>th</sup> JA spoke with Levin on the phone

June 17<sup>th</sup>, JA texted asking for an update. Levin said he would have info soon

June 19<sup>th</sup>, Levin texted JA that "they" have still not decided between Skotsyk and Zelensky. Mentioned Washington clients not delivering.

June 26<sup>th</sup>, Levin asked about JA's father who was ill. JA's father passed away that day.

They set up to meet on July 13<sup>th</sup> in DC. They did meet on that day to discuss the effort. JA said he had extensive meetings with TV persons about the show. JA needed funding to start things off. JA talked about funding the actual pilot of the show. Levin's interest in the crypto was waining. Levin asked again about the list.

On July 19<sup>th</sup>, Levin re sent the list and the first time the list was titled Schindler's list.

August 14<sup>th</sup> JA pushing Levin on the show as he had excited TV people about the show. Levin pushed off discussion for when he would return in September. Agreed to meet at the Trump hotel on September

6th in DC. They met. Levin was meeting with a group of lobbyists. Levin said they would fund the lobbying effort in cash. JA said no, won't deal in cash. Levin said they would have to fund with different European entities. JA said they would have to be clients and they would have to register. Levin said there was no way these companies would be able to register under FARA or LDA, and Levin knew the difference between both. Levin said he had other lobbyists who were perfectly willing to do this without registering as a lobbyist and do it with cash and looked over to the group of people he was meeting with b4 JA in the lobby. JA told Levin \$1.5M was the proposal for the campaign that JA outlined on the chart. Levin said JA should think about this. JA said no. Levin said, is that final, JA said yes. Levin walked away. JA left. Everything ended.

Jason Osborne, and James Khars, Brian Darling were lobbyists that JA spoke with concerning the prospect of Levin coming on board as a client that JA would sub contract his work to them.

Levin had mentioned that he had other lobbyists.

That was the last time JA saw LEVIN. JA has texted for holidays, and sent a congrats for getting Zelensky elected. LEVIN possibly lives in Ukraine and Israel. Levin's mother was ill in a hospital.

JA could recontact LEVIN.

CHART :

VV = Vitaly Skotsyk and Vlydymere Zelensky

P corruption – Poroshenko

PR/articles = poroshenko corruption

Idea would be to approach one of his contacts who write articles and provide them the info from Levin and encourage them to write articles that would be of interest to the white house and conservatives.

WH = Whitehouse

Corey Luendowski is close with Jason Osborne. JA believes that JO has contacts in the White House. Brian Darling knew Lueendowski. Darling may have worked with Lue to get AML tweet out in the public.

Senator Rish was chariman of foreign affairs committee in the Senate. Senator Hatch was chairman of judiciary.

One of the lobbying efforts would be engaging these committees to push the administration to do it.

Sepo is the company JA would be working with, "my company". Eli Z. and JA worked on a secretary general of the justice department in the Netherlands named Jorice Bennett? November 2011, JA contacted by a man named Robert Rubenstein who is US citizen that lived in Netherlands. Eli dealt with people on JA's behalf in the lobbying world so as to keep JA out of it.

There was no crypto consultancy for \$750,000, the invoice for that may have been related to the movie.

Amounts to sub contractors would be paid from the client.

JA's intent would be register under FARA.

States they weren't going to use Landfair as a conduit for the lobbying campaign. The figure, \$750K figure is a TV production figure. Does not know the timeframe for the invoice is the same as the lobbying campaign. Does not know why he called it a crypto currency contract on the invoice. Does not recall right now why it looks like he was trying to obscure the invoice. Alex never met LEVIN. There were conversations with Levin about crypto currency.

Admitted that notes were in his handwriting

Typed list was what was presented to Kolomoisky. JA thinks the hand written notes were taken when JA was with Kolomoisky.

paul wood?

\*\*is he saying Levin was really interested in AML bitcoin and not that Landfair was a smokescreen?

BREAK

---

Reviewed cronie list (hard copy). Confirmed this was the list, not sure if it was the same texted. JA did not even read the list as they weren't paying him.

Regarding BOGO. Friend of JA's, orthodox jewish guy in NY (Laser Shiman), mentioned he was friends with BOGO. BOGO needed help with Ukraine issue. Shiman is from the same Hasidic community of Eli Zhicherman. Eli is the merchant cash advance business that loans money to businesses. Eli is involved in charities too. One was for an ambulance service for Hasidic jews. There are a number of medical services in the community. Eli is trained as an EMT and actually provides services to the community. Eli has asked JA's help to find investors, but JA never has. He used to be in private equity and real estate. JA has known Eli since 2007-2009. Eli came as a visitor to prison as a volunteer. When JA got out of prison and was on home confinement, JA met with his first probation officer. This PO told JA he could not be self employed. JA asked his PO if it would be ok to have a friend set up a company and get salary from that company. PO said it would be ok. They discussed restitution issues of monies going through that company. JA asked Eli if he would be willing to set up a company. In the movie business it would be called a loan out company. This is a common term from the movie industry. Later moved to another PO. In the first meeting, JA told her what he discussed with first PO. Ms. Boyd (PO) said it was ok to do this. On home confinement, JA didn't earn any money other than pizza place. On supervised release he earned money (DEC 2010 for three years). JA had a book deal and other income during that period. JA can't recall his income those years.

Alex Amramoff talked with Eli Z. but they didn't end up working together. Alex felt Eli didn't do it right (that business model).

Remembered meeting BOGO at some point in Beverly hills hotel at some point in time. BOGO was partners with Igor Kolomoisky with Prevak bank (largest bank in Ukraine). Poroshenko nationalized all bank assets and was trying to make them personally liable for deficits that were incurred post nationalization.

JA put together a possible effort to do something, but can't remember the details. Something close to what was going on with Levin. It was linked to trying to find a way to get them back their bank or a

settlement or something like that. JA lost touch with BOGO. JA called BOGO after Geneva meeting, but they didn't meet up. BOGO was based in Geneva as he shared an office with Kolomoisky. BOGO may also live in Israel.

JA had lunch with Rohrabacher in orange county to introduce XXX to Dana.

JA is not familiar with SMW partners.

JA recalled conversations regarding crypto with Genadi.

JA has never been paid for crypto currency consulting/advice. JA's son has been paid for this.

What is committee for defense of america's future? Looks like a 501C4, that he thought was set up for a different effort. Text from 8/21/2017.

-list of officers for CDAF – JA provided names which were Brian Darling's contacts, JA didn't know them.

Can't recall what happened to maudi in September 2017 when he went silent.

MAUDI didn't hire JA.

Aron SHAVIV is someone who runs political campaigns. He ran campaigns for the president of Austria and several other .... Ran one in Montenegro. One in the Congo. JA met him through rabi David lebin? Who was being considering for the chief rabbi role of ??

Fiertash – can't remember much. He did not speak English.

Under secretary for terrorism finance

JA's trip to Geneva was paid for. Levin paid for dinner. JA was never paid fees or salary for any work.

JA doesn't know if Leven is connected to Lev/Parnas.

JA thought to himself that Levin got out the Biden corruption info through Giuliani. Levin never spoke of Lev/Parnas/Giuliani.

JA last spoke with lobbyist Robert Livingston before his prison term (former congressman).

JA visited Paul Manafort at Alexandria county jail. They hadn't talked since the 1980s. JA read everyone had abandoned him. They had a 10 minute visit. No crossover between Manafort's work and JA's work.

Played audio file – can't remember who it was for

JA does not have any overseas financial accounts

Sepo was JAs company. Eli didn't make any money from the company. JA controlled the company. Eli may have borrowed from the company, but JA didn't know any details. JA handled the paperwork. There were agreements, but JA didn't have signing authority or official authority over the accounts. JA agreed with his PO's that this was ok. JA would text/call/email Eli to get money from the account.

NICK MUZIN:

JA met MUZIN through Joey LNU in DC for the first time. Met another time in NY. They talked about lobbying efforts together. MUZIN described a client, Shali Kumar. Kumar hired MUZIN to help him



become the ambassador to India. MUZIN asked for ideas on the project. Kumar needed to show he had foreign policy expertise. JA recommended that Kumar write a book or have someone else help him write a book about American Indian policy in south asia. `The book is terrible, unreadable. The book turned into a vanity book for Kumar about how he was able to win the election for Trump. Kumar was difficult to work with. JA wrote forward for Gingrich and Nut agreed to sign it. JA wrote a couple chapters. KUMAR re wrote a chunk of it. James Khars was the named author, not the actual author. MUZIN brought JA in on the project. Kumar got money for JA through MUZIN. MUZIN kept half the money. Worked for a few months. They had many meets between KUMAR, JA, and others. Kumar was introduced to Dana a couple times. Kumar would ask them to type their cell phone number into his cell phone (inappropriate behavior). KUMAR had represented this girl as his daughter. She was a beautiful young gal (actress) from West India. MUZIN was suspicious that he was having an affair with her. Some were offended by this behavior. Some people thought she was really his daughter. Kumar told JA that she was his god daughter.

MUZIN was allegedly talking with Rynce Preibus. MUZIN had communications with Preibus from an email account [badger4@gmail.com](mailto:badger4@gmail.com). The account was made to look like it were really Preibus to give KUMAR hope. Then KUMAR told JA that he ran into Preibus who told him that wasn't his email address. MUZIN claimed it was another guy, Jason LNU who worked for Preibus, who made up the fake email account. MUZIN claimed he was close with Preibus. Preibus was chief of staff at that time, so MUZIN may have been impersonating a federal person.

JA was paid \$100,000 on one occasion for KUMAR work. From that JA paid Neil McCabe who wrote the book. James Khars may have gotten a cut too. Erickson gave JA a referral fee.

Alex set up a company, Landfair. Alex wanted to establish himself, bank account, credit etc. Alex asked if dad could get payments through Landfair to establish himself. MUZIN lived in Stoneyton dr. in Silverspring. JA went to MUZIN's home. Not sure if he had another office. MUZIN had other clients. JA will have to check. Possibly the democratic party of Albania. JA had a serious falling out with MUZIN due to each other saying they were dishonest with each other. Maybe the disagreement was money related.

Chuck Johnson:

Met through Dana over the phone. Johnson was a name dropper (braggart). Johnson said he was a professional poker player and invested in Bitcoin and was now worth \$35,000,000.

Regarding CS mining, the client was John Bryan. Johnson was paid through Landfair. Bryan paid JA to start engaging in that effort to expose the reati's involvement in the mine. The goal was to provide info to bankruptcy judge to pause in giving these guys this massive asset. This lobbying effort was unsuccessful and judge gave them the asset. JA told Dana about this matter. These guys were convicted of campaign finance issues in the Clinton era.

Movie script:

John Bryan buys an option on the French Doctress written by Dana. Bryan, JA, and Dana have dinner with Dana's family. Bryan wanted to meet Dana on a social basis. As part of the discussion, Dana mentions the script (160 pages). Long script for a movie. Bryan had a relationship with Group M (massive advertising communications company) to put together TV programs that would have ability to attract advertising. They control 20-30 cents of every dollar of advertising in America. Bryan heard the



pitch of the story for French Doctress and was interested for Group M. Bryan only paid \$50K out of the \$100K price for the script.

Since September 2018, continued with ANDRADE on AML Bitcoin until their break. Then did some consulting, borrowed money from family. There was a period of no income also.

JA's brother continued producing movies since they separated 1994. They put together a little group, JA, Brother (Robert), Neil Israel (who wrote police academy movies). They are trying to arrange financing for motion pictures in Singapore, Malaysia and other countries using rebates. To make movies and TV shows.

Consulted with a guy who wanted to get a commission with Trump. JA created strategy. One of the Kennedy center commissions.

ANDRADE falling out starting with search warrant and that Agents took \$1M to build a house. JA confronted ANDRADE about taking \$1M out of company to build house, ANDRADE admitted he did it and stated he was reimbursing himself for what he put into the company. The company no longer had sufficient money to continue. ANDRADE stopped paying the software people in the UK that Richard Naimer had put together. Richard and JA told ANDRADE that he had to sell the house and put the money back into the company. ANDRADE claimed he was going to do that. ANDRADE got angry about the confrontation. JA feels that the patents that ANDRADE is holding have real value so JA continued with ANDRADE for awhile. They got worse and worse. JA had a company willing to buy the patents, but ANDRADE kept changing his demands and then resented that JA had brought the company in. JA moved into category of people who did him wrong. Los Angeles was going to pay \$100M for the patents (TERAFORM) who ran the biggest crypto company at the time. They were going to give him option money, initial payment of \$100K. ANDRADE later said \$150K then 500K. JA would work with TERAFORM without ANDRADE involved.

## FEDERAL BUREAU OF INVESTIGATION

Date of entry 03/17/2020

Jack Abramoff, self-employed, who resides at 812 Edelblut Drive, Silver Spring, Maryland, was interviewed at the law office of Winston and Strawn LLP, located at 101 California Street, San Francisco, California. Also present representing Abramoff were attorneys Pamela Davis and Eric Meiring. Attorney Abbe Lowell was present by video conference for the first half of the interview. Also present were Assistant United States Attorneys Lloyd Farnham and Andrew Dawson. Before the interview began Abramoff, with the assistance of his attorney, signed a proffer agreement. This agreement was verbally reviewed by AUSA Farnham. Abramoff was admonished to be truthful and he asserted that he would be. Also, Abramoff signed a waiver of initial appearance during the proffer interview which is attached to this report as a 1A. After Abramoff was informed of the identities of all present, Abramoff voluntarily provided the following information:

**Regarding public relations work with Andrew Levin:**

On approximately May 9, 2018 Abramoff received a call from Congressman Dana Rohrabacher. At that time Congressman Rohrabacher was on the House Foreign Relations Committee and he was the chairman of the European Subcommittee. Congressman Ed Royce was the chairman of the Foreign Relations Committee. Rohrabacher told Abramoff that Vitaly Skotsyk was planning to be a candidate for the President of Ukraine in the upcoming Ukrainian presidential election. Rohrabacher asked Abramoff if Abramoff could assist Skotsyk with that campaign. Rohrabacher was meeting with Skotsyk and Rohrabacher handed the phone to Skotsyk and said something similar to "You should meet." Abramoff understood this to mean that Rohrabacher wanted Abramoff to meet with

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Investigation on 02/25/2020 at San Francisco, California, United States (In Person)File # 58D-SF-2113481-302Date drafted 02/27/2020by Brendon Zartman, Ethan A. Quinn, ROAHN WYNAR

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

ROWLAND MARCUS ANDRADE,

Defendant-Appellant.

Case Nos. 25-5095; 25-6056; 25-6507

D.C. No. 3:20-cr-00249-RS-1

Northern District of California,  
San Francisco

**DEFENDANT’S MOTION TO USE  
STOCK ASSETS AND CONDUCT  
PUBLIC FUNDRAISER FOR  
SPECIALIZED COUNSEL AND  
FAMILY SUPPORT**

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**EXHIBIT -G**

**CENTRIAL INTELLIGENCE AGENCY INVOLVMENT**



## Extraction Report

Cellebrite UFED Reports

### Participants

+1605 [REDACTED]

+1706 [REDACTED]

### Conversation - Instant Messages (67)

☆		+1706 [REDACTED]	11/12/2016 12:16:35 AM(UTC+0)
		Paul- james Kahrs - commie killer	
		Source Extraction: File System	
☆		+1706 [REDACTED]	11/12/2016 12:16:35 AM(UTC+0)
		Haha	
		Source Extraction: File System	
☆		+1605 [REDACTED]	1/7/2017 10:21:23 PM(UTC+0)
		Gladly!! A few minutes!	
		Source Extraction: File System	
☆		+1706 [REDACTED]	1/7/2017 10:43:12 PM(UTC+0)
		Okay. Thanks Paul	
		Source Extraction: File System	
☆		+1706 [REDACTED]	1/8/2017 8:10:53 PM(UTC+0)
		I'm gonna connect you with J.C. boggs He may be good for our bitcoin initiatives	
		Source Extraction: File System	
☆		+1605 [REDACTED]	1/10/2017 2:46:53 AM(UTC+0)
		Like guns, more is better!! (And yes! Rooting for a Clemson comeback . . . just to make Joe Scarborough suffer.)	
		Source Extraction: File System	
☆		+1706 [REDACTED]	1/10/2017 2:47:12 AM(UTC+0)
		Haha. That's great!!!	
		Source Extraction: File System	
☆		+1706 [REDACTED]	1/10/2017 2:48:31 AM(UTC+0)
		Going to send you a text from my black friend who works for senator tim Scott	
		Source Extraction: File System	
☆		+1706 [REDACTED]	1/10/2017 2:50:26 AM(UTC+0)
		"Our IT guy is black and is also Sessions' IT guy. And he's like this man is far from racist. Crazy. Stupid media.... "	
		Source Extraction: File System	
☆		+1605 [REDACTED]	1/10/2017 2:50:51 AM(UTC+0)
		Yup!	
		Source Extraction: File System	
☆		+1706 [REDACTED]	1/10/2017 2:52:48 AM(UTC+0)
		Sent you JC Boggs. He was bush appointee. Be good for cyber or bit coin. Works at king and Spaulding	
		Source Extraction: File System	

★  Another guy who recruited me to the CIA and Obama administration totally fucked him after he ran an operation in Italy and took a terrorist off the streets. That terrorist lives in Alexandria right now  
Source Extraction: File System

★  +17064 [REDACTED] 1/10/2017 2:57:04 AM(UTC+0)  
Yea. I was recruited. We can talk about that later!  
Source Extraction: File System

★  +17064 [REDACTED] 1/10/2017 3:09:52 AM(UTC+0)  
Do the Senate confirmation's affect your role?  
Source Extraction: File System

★  +1605 [REDACTED] 1/10/2017 3:11:47 AM(UTC+0)   
No! That was work from six weeks ago! I'm on to key White House staff and Deputy Secretaries. And inaugural ticket nightmares.  
Source Extraction: File System

★  +1706 [REDACTED] 1/11/2017 8:33:04 PM(UTC+0)  
Waiting to hear back from jack  
Source Extraction: File System

★  +1706 [REDACTED] 1/11/2017 8:33:04 PM(UTC+0)  
With Dane Bashen. Hope he gets in with Mattis  
Source Extraction: File System

★  +1706 [REDACTED] 1/12/2017 6:31:28 PM(UTC+0)  
I am about to call Jack  
Source Extraction: File System

★  +1706 [REDACTED] 1/12/2017 10:06:56 PM(UTC+0)  
Email  
Source Extraction: File System

★  +1706 [REDACTED] 1/14/2017 12:09:53 AM(UTC+0)  
Have a possible deputy secretary for HHS- Charmaine Yoest  
Source Extraction: File System

★  +1605 [REDACTED] 1/14/2017 12:32:03 AM(UTC+0)   
Dear mover & shaker - I'm going to be stuck in the west until next Thursday, but will be working on computer straight through.  
Source Extraction: File System

★  +1706 [REDACTED] 1/16/2017 2:25:04 AM(UTC+0)  
What are the most crucial positions you are working to fill right now and I'll see who I can send you  
Source Extraction: File System

★  +1706 [REDACTED] 1/16/2017 10:04:48 PM(UTC+0)  
Sending you an HHS candidate  
Source Extraction: File System

★  +1605 [REDACTED] 1/17/2017 8:44:03 PM(UTC+0)   
Received!!  
Source Extraction: File System

★  +1706 [REDACTED] 1/20/2017 3:06:40 PM(UTC+0)  
I have an extra ticket to Dana Rohrabacher ball. Jack mentioned you have an interest  
Source Extraction: File System

☆

Yup!

Source Extraction: File System

☆

+1706 [REDACTED]

1/21/2017 7:24:48 PM(UTC+0)

Treasury:

Pippa Malmgren would be perfect for Treasury. She is an expert on international monetary system and global finance. Worked for Bush II. Was Head of Global Strategy at UBS and Banker's Trust. Was head of Bankers Trust in Asia. Has military history background. PhD from London School of Economics.

I have an inside connect to Pippa

Source Extraction: File System

☆

+1605 [REDACTED]

1/25/2017 4:03:53 PM(UTC+0)

Reince is calling him sometime this week - maybe as late as Monday. No competitors. How are you doing on Prayer Breakfast tix??

Source Extraction: File System

☆

+1605 [REDACTED]

1/27/2017 3:27:57 PM(UTC+0)

He's on Reince's desk . . . and no one else is.

Source Extraction: File System

☆

+1605 [REDACTED]

1/27/2017 3:32:00 PM(UTC+0)

A short but important list of Deputy Secretaries - but everything stops until we try to slam through 7 cabinet secretaries next week. (USAID is NOT subject to that delay.)

Source Extraction: File System

☆

+1706 [REDACTED]

1/27/2017 3:34:34 PM(UTC+0)

Okay. Deputy secretaries for essentially every agency?

Source Extraction: File System

☆

+1706 [REDACTED]

1/27/2017 3:46:17 PM(UTC+0)

Reach out to Pawel too.... amb to Poland

Source Extraction: File System

☆

+1605 [REDACTED]

1/27/2017 3:46:45 PM(UTC+0)

Already done! Good man.

Source Extraction: File System

☆

+1706 [REDACTED]

1/28/2017 8:24:32 PM(UTC+0)

Check email. JC boggs wrote article on Dodd frank. He is looking to get into Treasury- also hunting down tickets for me

Source Extraction: File System

☆

+1605 [REDACTED]

1/28/2017 8:53:56 PM(UTC+0)

Thank you!!

Source Extraction: File System

☆

+1706 [REDACTED]

1/28/2017 8:54:24 PM(UTC+0)

Yea. I wake up everyday to help Paul erickson. Or jack

Source Extraction: File System

☆

+1605 [REDACTED]

1/28/2017 8:57:10 PM(UTC+0)

I'm less judgmental.

Source Extraction: File System

☆

+1605 [REDACTED]



1/28/2017 9:55:37 PM(UTC+0)

Got the Boggs e-mail - will evaluate! In a desperate move, I could survive with a pair of Main Ballroom prayer tickets. I'm Hail Mary on Monday.

Source Extraction: File System

		Checking with gosar, comstock, etc <b>Source Extraction:</b> File System	
☆		+1605 [REDACTED] I won't forget these efforts, James - it IS important. <b>Source Extraction:</b> File System	1/29/2017 3:29:38 AM(UTC+0) 
☆		+1706 [REDACTED] My buddy has a Bulgarian here for you. Hit me up later <b>Source Extraction:</b> File System	2/8/2017 11:04:32 PM(UTC+0)
☆		+1605 [REDACTED] It lets me call ahead to make sure that no USAID hiring decisions are made at the White House tomorrow. I'm heading into another two hour meeting - drink until the girls like you! ☺ <b>Source Extraction:</b> File System	2/8/2017 11:04:57 PM(UTC+0) 
☆		+1706 [REDACTED] From my friend.... about USAID ....  Yeah I heard they interviewed two ambassadors last week for the position <b>Source Extraction:</b> File System	2/8/2017 11:28:00 PM(UTC+0)
☆		+1605 [REDACTED] For the position of . . . <b>Source Extraction:</b> File System	2/8/2017 11:28:58 PM(UTC+0) 
☆		+1706 [REDACTED] I guess the director <b>Source Extraction:</b> File System	2/8/2017 11:29:33 PM(UTC+0)
☆		+1706 [REDACTED] For administrator. Says a guy from inside USAID <b>Source Extraction:</b> File System	2/8/2017 11:32:14 PM(UTC+0)
☆		+1605 [REDACTED] Will call shortly - finishing a meeting - moved to block the two White House visitors today from being offered any USAID posts. <b>Source Extraction:</b> File System	2/9/2017 6:31:58 PM(UTC+0) 
☆		+1706 [REDACTED] We need to block this guy Silverstein <b>Source Extraction:</b> File System	2/9/2017 8:00:10 PM(UTC+0)
☆		+1706 [REDACTED] Trump dumped Tillerson's deputy secretary of state pick over his criticisms during the campaign, sources say... <a href="https://twitter.com/i/web/status/8...">twitter.com/i/web/status/8...</a> <b>Source Extraction:</b> File System	2/12/2017 11:42:30 PM(UTC+0)
☆		+1605 [REDACTED] Trump dumped Elliot Abrams because I placed Abrams clips about Trump on the POTUS desk Wednesday night. <b>Source Extraction:</b> File System	2/12/2017 11:43:41 PM(UTC+0) 
☆		+1706 [REDACTED] I like it <b>Source Extraction:</b> File System	2/12/2017 11:44:05 PM(UTC+0)
☆		+1706 [REDACTED] Try and keep Reince in the job <b>Source Extraction:</b> File System	2/12/2017 11:49:06 PM(UTC+0)



★		People are pretty happy you took out this neocon Abrams <b>Source Extraction:</b> File System	
★		+170 [REDACTED] See JC's email? <b>Source Extraction:</b> File System	2/28/2017 5:07:11 PM(UTC+0)
★		+1605 [REDACTED] Responded! March 9 probably works best! <b>Source Extraction:</b> File System	2/28/2017 5:31:08 PM(UTC+0)
★		+1605 [REDACTED] Not yet - I'll let you sweep up after "elephant Jack" in today's Politico . . . <b>Source Extraction:</b> File System	2/28/2017 5:37:42 PM(UTC+0)
★		+1706 [REDACTED] Yea. I know <b>Source Extraction:</b> File System	2/28/2017 5:46:40 PM(UTC+0)
★		+1706 [REDACTED] And I am about to get my head ripped off by him today for something different. Wish me luck! <b>Source Extraction:</b> File System	2/28/2017 5:46:40 PM(UTC+0)
★		+1706 [REDACTED] Mentioned to JC when we met last that after this, your main focus is international development. <b>Source Extraction:</b> File System	2/28/2017 7:46:08 PM(UTC+0)
★		+1706 [REDACTED] Want to try jack? Put you on a group text <b>Source Extraction:</b> File System	2/28/2017 8:16:00 PM(UTC+0)
★		+170 [REDACTED] My friend who is editor at Washington post wants to discuss the Afghanistan initiative. He lived there a long time <b>Source Extraction:</b> File System	3/19/2017 6:43:59 PM(UTC+0)
★		+1605 [REDACTED] Lived there? <b>Source Extraction:</b> File System	3/19/2017 6:44:47 PM(UTC+0)
★		+1706 [REDACTED] As bureau chief <b>Source Extraction:</b> File System	3/19/2017 6:45:44 PM(UTC+0)
★		+1706 [REDACTED] Rich Leiby <b>Source Extraction:</b> File System	3/19/2017 6:45:50 PM(UTC+0)
★		+1706 [REDACTED] I'm with jason beck <b>Source Extraction:</b> File System	3/23/2017 9:00:30 PM(UTC+0)
★		+1706 [REDACTED] Dana rohrabacher will come too <b>Source Extraction:</b> File System	3/23/2017 9:24:16 PM(UTC+0)
★		+1706 [REDACTED] You ever Ping Marie and Jc after their email? <b>Source Extraction:</b> File System	3/24/2017 2:43:06 PM(UTC+0)

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

IN THE MATTER OF THE  
SEARCH OF:

812 EDELBLUT DRIVE, SILVER  
SPRING, MARYLAND

UNDER SEAL

NO. TMD 18-2506

FILED INDEXED  
LODGED RECEIVED

SEP 28 2018

AFFIDAVIT IN SUPPORT OF A SEARCH WARRANT

AT GREENBELT  
CLERK U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

I, Roahn Wynar, Special Agent with the Federal Bureau of Investigation, being first duly

sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. This affidavit is written in support of an application under Fed. R. Crim. P. 41 for a search warrant for the address [REDACTED] Silver Spring, Maryland ("[REDACTED] Drive" or "premises"), further described in Attachment A, for the things described in Attachment B.

2. I am a Special Agent with the Federal Bureau of Investigation (FBI), and have been since February 2003. I am currently assigned to FBI's San Francisco Division and I investigate white collar crimes including public corruption, fraud, money laundering, and other matters. My training and experience includes, but is not limited to, the investigation of public officials and their associates, campaign finance matters, and illegal activities executed by professional lobbyists and attorneys.

3. Through this training and experience, I have become familiar with the manner in which individuals solicit investments fraudulently and how they launder the proceeds. I am also familiar with the rules surrounding federal campaign finance violations and bribery. In particular, I am aware the people who are engaged in financial frauds will retain documents and records associated with the fraud. These records include various communications with victims and co-conspirators, records regarding financial transactions, and documents associated with the

*RM*

RAW 9/12/18

promotion of the fraud. Often they keep these documents at their place of business and and/or at their personal residence when they use that residence to conduct business.

4. I have personally participated in the investigation discussed in this Affidavit. I have also discussed the investigation with other FBI agents, IRS agents, and other law enforcement personnel involved. I have reviewed records and reports relating to the investigation. Unless otherwise noted, wherever in this Affidavit I assert that a statement was made, the information was provided by another FBI agent, law enforcement officer, or witness who may have had either direct or hearsay knowledge of that statement and to whom I or others have spoken, or whose reports I have read and reviewed. Throughout this Affidavit, all sentences that begin with the words "I believe" are based upon such information. Because this affidavit is submitted for the limited purpose of establishing probable cause, this Affiant has not included all related facts knowns to the affiant, and has only set forth the facts believed necessary to establish probable cause.

#### SUBJECTS OF THE INVESTIGATION

5. The main subject of this investigation is JACK ABRAMOFF, who lives at 812 Edelblut Drive. The investigation of ABRAMOFF has grown to include two of his associates, Rowland Marcus Andrade and Japheth Dillman who appear in this affidavit because they are two of the principals for an enterprise called "AML BitCoin." A fourth person, Paul Erickson, is another associate of ABRAMOFF's who is the subject of other FBI investigations and is mentioned in this affidavit.

##### A. JACK ABRAMOFF

6. On August 11, 2005, Abramoff was indicted in the Southern District of Florida with one count of 18 U.S.C. Section 371 (Conspiracy to Commit Wire Fraud and Mail Fraud) and five counts of 18 U.S.C. Section 1343 (Wire Fraud). On January 4, 2006, Abramoff pleaded guilty to one count of 18 U.S.C. Section 371 (Conspiracy to Commit Wire Fraud and Mail Fraud) and one count of 18 U.S.C. Sections 1343 and 2 (Wire Fraud and Aiding and Abetting).



RAW 7/12/18



posture and his "low-down" company were intended to evade reporting requirements associated with the lobbying activities ABRAMOFF offered to CHS #1 and the UCEs.

26. On June 21, 2017, UCE #1 met with ABRAMOFF at a hotel in San Francisco, California. UCE #1 and ABRAMOFF discussed additional details regarding ABRAMOFF's proposal. ABRAMOFF explained to UCE #1 that ABRAMOFF had direct conversations with Congressman Rohrabacher regarding medical marijuana. This meeting was recorded.

27. During this meeting with UCE #1, ABRAMOFF emphasized how important it was that ABRAMOFF's name be concealed. ABRAMOFF planned on hiring a separate lobbyist named James Kahrs to "officially" be the lobbyist who would contact Congressman Rohrabacher. ABRAMOFF stated he used this arrangement for other efforts with Congressman Rohrabacher. Specifically, ABRAMOFF said,

And I will probably have one of [the lobbyists], James Kahrs, officially be the lobbyist with [Rohrabacher]. Even...because we need there is going to need to be some official lobbyist dealings with [Rohrabacher]. ... Like meetings. If there are meeting with other people there and things like that. I am not going to be there. For that .... And when there needs to be a public eye one of my guys will already be ... I already did this with a lot of other efforts with Dana. Dana likes him. So he goes to the meetings and acts as the lobbyist.

I interpreted this to mean that ABRAMOFF will make contacts with Congressman Rohrabacher himself unless there is a meeting involving other people. In that case Kahrs will replace ABRAMOFF at the meeting. I also interpreted this to mean that ABRAMOFF has previously used Kahrs as a shell lobbyist to evade to requirements of the Lobbying Disclosure Act.

28. Also during this meeting, ABRAMOFF and UCE #1 discussed two other "campaigns" ABRAMOFF was associated with. One campaign was regarding a potential nominee to be the United States Ambassador to India. Through separate investigation, the FBI discovered banking records and witnesses which tied ABRAMOFF to the nomination of a man named Shalli Kumar for a State Department appointment. ABRAMOFF also discussed a lobbying effort for the benefit of a crypto-currency firm. As will be discussed more fully below, the FBI confirmed ABRAMOFF's association with a specific crypto-currency client.

*MM*

*RBW 9/14/18*

WhatsApp can escape FBI scrutiny, his creation of a "low down" company, and his deployment of a shell lobbyist all contradict his assertion that "I wouldn't break a law" because all of those activities suggest that ABRAMOFF is avoiding disclosure required by the Lobbying Disclosure Act.

32. During the same meeting, ABRAMOFF told UCE #1 about ABRAMOFF's interpretation of the Lobbying Disclosure Act. He said,

The Lobbying Disclosure Act requires that if you spend 20% of your time on a project actually lobbying public servants you have to file a Lobbying Disclosure Act form. I'm gonna spend zero percent of my time lobbying public servants except for any discussions I have with Dana. But that is, compared to the entire effort ... even if he is my friend the thing is the Lobbying Disclosure Act doesn't give an exception if the Congressman is your friend but it is not 20% of the time I am spending on the effort. My talking with Dana is five minutes once a week.

That is, ABRAMOFF wanted the UCE #1 to believe that a lobbyist must be in direct face-to-face communication with a Congressman for 20% of the lobbyist's time in order to trigger a disclosure requirement. ABRAMOFF was telling the UCE #1 that ABRAMOFF only spent a few minutes lobbying Congressman Rohrabacher and was therefore absolved from disclosure requirements. Regardless, later ABRAMOFF engaged in a concealment that contradicted his own supposed theory of how the Lobbying Disclosure Act works (see below).

33. During the same meeting, ABRAMOFF discussed the method WeedMaps, his marijuana client, paid ABRAMOFF for his lobbying effort, which was via "a capital company in Los Angeles that is not connected to me for the money I get."

34. On June 22, 2017, ABRAMOFF used WhatsApp to send several files to UCE #1, including an invoice for \$40,000 to be paid to Landfair Capital Consulting, Inc., located at 537 Landfair Avenue, Los Angeles, California. The documents laid out a plan wherein a company called "Pangea" would act as an intermediate lobbyist, who would hire other lobbyists. I believe that Landfair Capital Consulting was the "low down" company ABRAMOFF referred to during previous meetings.



RHW 9/12/18



35. On June 26, 2017, UCE #1 placed a WhatsApp call to ABRAMOFF. ABRAMOFF agreed to accept \$5,000 to be paid to Landfair, Inc. for the purposes of establishing a 501(c)4 organization. This 501(c)4 organization was to be called the "Committee for a Dynamic American Future" (hereinafter CDAF). ABRAMOFF and UCE #1 discussed UCE #1's need to get concurrence of business partners to fully fund ABRAMOFF's proposed lobbying effort. ABRAMOFF told UCE #1 that ABRAMOFF had a team of people ready to move the marijuana lobbying campaign forward but ABRAMOFF and UCE #1 would lose the team to other projects if UCE #1 did not get the funding soon. Following the call, ABRAMOFF sent UCE #1 three electronic documents using WhatsApp. The first was an invoice from Landfair Capital Consulting for \$40,000 dated June 22, 2017 for "Consultation Services," including wire transfer instructions. The second was a six-page proposal outlining the strategy ABRAMOFF discussed during the prior meetings. The third was a spreadsheet indicating which lobbying firms and consultants would need to be hired for the medical marijuana campaign. The lobbying firms included Pangea, ADL, Kroll Global, Darling Associates, Rothschild Public Affairs, and the Erickson Group. The duties of each firm were generally assigned, with Pangea as the firm assigned to engage in "leadership of the CDAF, sub engage of smaller firms for RF Member lobbying." "RF" was an acronym for "Rohrabacher-Farr." The Rohrabacher-Farr amendment was placed in the federal budget to restrict the federal government's ability to enforce marijuana laws in states that have made medical marijuana legal. This amendment was in jeopardy since the 2016 presidential election and the goal of ABRAMOFF's lobbying campaign was to protect the Rohrabacher-Farr amendment from being stricken from the new federal budget by conservative legislators. The total cost of the lobbying project was estimated as \$570,000.00.

36. Subsequent financial analysis of Pangea's banking records showed Pangea's Wells Fargo Account was opened on January 12, 2017, and the account is controlled by Kahrs who claims to be the owner of the Pangea. During this period Pangea had only once source of income, Ghost Management Group (hereinafter GMG). GMG was controlled by a medical



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→ marijuana company called WeedMaps. Pangea's expenditures between January and September 2017 included withdrawals by James Kahrs, a payment of \$10,000 to a company called Sepo Holdings, \$5,000 to Landfair, and service to an American Express card for approximately \$40,000.00. I will discuss GMG more completely in a later section of this affidavit, but I believe that GMG was actually an ABRAMOFF client which ABRAMOFF referred to Pangea. I also believe the subsequent Pangea payments to Landfair, Sepo Holdings, and ABRAMOFF are kickbacks from Pangea to ABRAMOFF. That is, I believe that Landfair Capital Consulting and Sepo Holdings are both controlled by ABRAMOFF through proxies.

→ 37. I believe that Pangea may in fact be either another ABRAMOFF "low-down" ← company similar to Landfair Capital Consulting or an independent company that has been partially co-opted by ABRAMOFF. In addition to financial ties to ABRAMOFF connected entities, my belief that Pangea may be operating for ABRAMOFF's benefit was bolstered by Kahrs' relationship with ABRAMOFF. Therefore, ABRAMOFF's inclusion of Pangea as one of the companies UCE #1 would independently hire to lobby was likely a scheme to have UCE #1 hire Pangea and then ABRAMOFF expected to take a share of that money as a kickback from Kahrs. This is consistent with the conduct ABRAMOFF exhibited in the past. ABRAMOFF and his historical coconspirator Michael Scanlon had a name for their early 2000s kickback scheme. They called it the "Gimmie Five" scheme. Later in this affidavit I will describe three other instances<sup>1</sup> the FBI suspects were kickback schemes arranged by ABRAMOFF and his willing co-conspirators. Although the precise execution of each of these kickback schemes had some variation, the spirit of all of them was the same: secretly divert client money intended for lobbying back to the lobbyist.

<sup>1</sup> The four kickback schemes I believe ABRAMOFF has engineered are: 1) directing UCE #1 to retain Pangea, 2) directing UCE #1 to retain the Erickson Group, 3) directing Ghost Management Group to retain Pangea, and 4) directing Shalli Kumar to retain Paul Erickson. Instances 2, 3, and 4 will be described more fully in the section of this affidavit regarding Shalli Kumar and suggest another coconspirator named Paul Erickson.



concealed as "crypto-currency" consulting fees. Specifically, ABRAMOFF told UCE #1 that he told Alex Abramoff that Landfair Capital Consulting was going to be doing "cyber-currency consulting" with UCE #1's company. UCE #1 offered to send ABRAMOFF \$10,000 to maintain the medical marijuana project while UCE #1 attempted to secure the additional funding from the other partners.

50. UCE #1, Alex Abramoff, and ABRAMOFF then developed a false narrative regarding UCE #1's involvement with "Initial Coin Offerings." ABRAMOFF offered to put together a proposal and send it to UCE #1. UCE #1 received the proposal via e-mail from Alex's Abramoff's e-mail. The three also constructed a narrative wherein Alex Abramoff pitched UCE #1 on the crypto-currency consulting deal during the April meeting in Las Vegas (see above, dated April 19, 2017). UCE #1 reminded ABRAMOFF that the first invoice ABRAMOFF sent to UCE #1 referenced CDAF and this reference was inconsistent with the new cover story regarding cryptocurrency consulting. ABRAMOFF acknowledged this and ABRAMOFF agreed to reissue that invoice, backdated, and Alex Abramoff offered no objection.

51. Near the conclusion of the call, ABRAMOFF and UCE #1 discussed the logistics of introducing Kahrs to UCE #1's investors. ABRAMOFF instructed Alex Abramoff that "you don't need to be on this one. This is actually James Kahrs." I understood this indicate that Alex Abramoff was aware of Kahrs and understood that Kahrs had a role in the deception, but Alex Abramoff may not be aware of the details of Kahrs' assignment. ABRAMOFF then told UCE #1 that ABRAMOFF would contact Kahrs and arrange for Kahrs to be available on July 10<sup>th</sup>, 2017 for a conference call with UCE #1's investors.

52. On July 6, 2017, UCE #1 called ABRAMOFF via WhatsApp for the purpose of planning the conference call with UCE #1's investors. ABRAMOFF was on the line with Kahrs, who also participated in the conversation. This was UCE #1's first interaction with Kahrs. ABRAMOFF suggested he would pick up Kahrs and they would conduct the teleconference in the car. Throughout this investigation the FBI has not discovered any information suggesting that ABRAMOFF has a work address other than his residence, which is ABRAMOFF's



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because ABRAMOFF wanted UCE #1 to believe that Landfair Capital Consulting was already being used by a major marijuana industry entity and was therefore well established and safe for UCE #1 to use. In reality, Landfair Capital Consulting was then-recently created to absorb the consulting fee of Shalli Kumar (see below) and UCE #1 was going to be the first steady client to use Landfair Capital Consulting.

63. The FBI reviewed financial records associated with Ghost Management Group (GMG). GMG and "WeedMaps" are synonymous for the purposes of this affidavit. That is, GMG appears to be the business operations arm of WeedMaps. For example, the financial records indicated that GMG bank accounts are controlled by the founder of WeedMaps and these accounts were used to pay a variety of different entities associated with business operations and also employee paychecks.

64. The FBI also reviewed financial records associated with Sepo Holdings and discovered that Sepo Holdings bank accounts are controlled by a person named Eli Zicherman and were opened in December 2010. This is around the same time ABRAMOFF was released from Bureau of Prison custody. I do not know the relationship between Zicherman and ABRAMOFF. Also in 2011, ABRAMOFF declared to the Department of Justice that Sepo Holdings was ABRAMOFF's "employer" for the purposes of calculating ABRAMOFF's restitution obligation. However, by 2017 Sepo Holdings became nothing more than a pass-through company for ABRAMOFF to receive consulting and lobbying fees.

65. I reviewed bank records of GMG, Sepo Holdings, and ABRAMOFF for 2017. This review demonstrated that ABRAMOFF was retained by GMG for consulting work. Furthermore, I have concluded that GMG's payments to ABRAMOFF were passed through Sepo Holdings for no other reason than to disguise their origin. GMG paid Sepo Holdings, which passed the money to ABRAMOFF. Sepo Holdings has paid ABRAMOFF approximately \$290,000 since 2017. The money was transferred directly from Sepo Holdings to ABRAMOFF's personal bank account at the rate of approximately \$20,000 per month, with some fluctuations. The money was transferred by wire.

  
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ATTACHMENT B

*Property to be seized*

1. All records relating to violations of 18 U.S.C. § 1343 (wire fraud), 18 U.S.C. § 1349 (conspiracy to commit mail, wire, or bank fraud), 18 U.S.C. § 1341 (mail fraud), 18 U.S.C. § 371 (conspiracy), 18 U.S.C. § 1344 (bank fraud), 18 U.S.C. § 1956 (money laundering); 18 U.S.C. § 1957 (money laundering.); and 2 U.S.C. § 1606 (Lobbying Disclosure Act), those violations involving JACK ABRAMOFF, MARCUS ANDRADE, JAPHETH DILLMAN, and PAUL ERICKSON, and occurring after January 1, 2015, including:

a. Records and information relating to the following individuals and entities:

- Dana Rohrabacher and members of his staff;
- Marcus Andrade
- Japheth Dillman
- AML BitCoin
- Landfair Capital Consulting
- Sepo Holdings and Eli Zicherman
- Muzin Capital Partners
- Ghost Management Group
- Pangea LLC
- Brian Darling and Darling Associates
- Shalli Kumar
- Paul Erickson
- "ADI," "Kroll Global," "Rothschild Public Affairs," and "Erickson Group,"
- Chase Kroll

*Tom*

*Ry 9/12/14*



# Extraction Report

Apple iPhone Logical

## Participants

Jack Abramoff +1202 [REDACTED]

Charles Johnson +1617 [REDACTED]

## Conversation - Instant Messages (29)

- ☆

Jack Abramoff

12/7/2016 11:05:34 PM(UTC+0)

Hi Charles. Peter thiel is in DC and dana wants to call him. Do you have his cell? I'm sitting here with Dana now. Thanks
- ☆

Charles Johnson

12/7/2016 11:05:46 PM(UTC+0)

Yes
- ☆

Charles Johnson

12/7/2016 11:05:54 PM(UTC+0)

Have Dana call me
- ☆

Charles Johnson

12/7/2016 11:05:58 PM(UTC+0)

I'll set it up
- ☆

Jack Abramoff

12/7/2016 11:27:28 PM(UTC+0)

He's still chatting with this guy. ASAP
- ☆

Charles Johnson

12/7/2016 11:28:02 PM(UTC+0)

Seems to me Russia could use better lobbying
- ☆

Charles Johnson

12/7/2016 11:28:06 PM(UTC+0)

What are your thoughts?
- ☆

Jack Abramoff

12/7/2016 11:30:11 PM(UTC+0)

Totally agree!
- ☆

Charles Johnson

12/7/2016 11:30:21 PM(UTC+0)

How can we make it happen?
- ☆

Charles Johnson

12/7/2016 11:30:32 PM(UTC+0)

I have fluent Russian speakers on my staff
- ☆

Jack Abramoff

12/7/2016 11:54:55 PM(UTC+0)

Dana calling now
- ☆

Jack Abramoff

6/14/2017 7:20:36 PM(UTC+0)

Did you see my whatsapp?
- ☆

Charles Johnson

6/18/2017 12:19:29 AM(UTC+0)

We need Mo Brooks, who is pro tenth amendment on marijuana to win Jeff Sessions seat. I just spoke with him.

☆		Jack Abramoff	6/18/2017 4:07:08 AM(UTC+0)	
☆		Charles Johnson	6/20/2017 3:25:41 AM(UTC+0)	Hey ready to roll on Riady?
☆		Jack Abramoff	6/20/2017 4:39:25 PM(UTC+0)	Anything that I would be able to describe to them, even generally?
☆		Charles Johnson	6/20/2017 4:39:48 PM(UTC+0)	Yes, we will take their money and buy bitcoin with it so as to keep it private and untraced
☆		Charles Johnson	7/11/2017 8:45:12 PM(UTC+0)	Here's my wiring info
☆		+16174294718 Charles Johnson	7/11/2017 8:45:18 PM(UTC+0)	CCJ Strategies Acct: 6287 Routing: 3222 Chase Bank 8905 E Las Tunas Dr, Temple City, CA 91780
☆		Jack Abramoff	7/14/2017 5:43:30 PM(UTC+0)	Charles, the client is asking, where are we? Please give me a report on both new sources ASAP. Thanks so much!
☆		Charles Johnson	7/14/2017 7:04:42 PM(UTC+0)	Ross says he's working on it as does Salt Lake Tribune.
☆		Charles Johnson	7/14/2017 7:04:54 PM(UTC+0)	Getting Ny Post on it too
☆		Charles Johnson	7/16/2017 11:04:18 PM(UTC+0)	Alex Pfeiffer is working on it from the Daily Caller
☆		Charles Johnson	7/16/2017 11:04:27 PM(UTC+0)	Says he can get it out tonight
☆		Charles Johnson	7/16/2017 11:05:08 PM(UTC+0)	I'm putting in touch with John Bryan
☆		Charles Johnson	7/16/2017 11:32:24 PM(UTC+0)	Don Jr gets in trouble for meetings with Russians while the Clintons sell our copper to the Chinese
☆		Charles Johnson	7/16/2017 11:36:03 PM(UTC+0)	Hannity tweeted our story
☆		Charles Johnson	7/16/2017 11:36:12 PM(UTC+0)	<a href="https://twitter.com/seanhannity/status/886730308942524417">https://twitter.com/seanhannity/status/886730308942524417</a> Attachments:  <a href="#">BACE264A-51F9-466F-8DDD-50212FCFE52E.pluginPayloadAttachment</a>



Jack Abramoff

7/16/2017 11:36:52 PM(UTC+0)



Charles you're a genius/hero!



## Extraction Report

Apple iPhone Logical

### Participants



Charles Johnson 16174 [REDACTED]

Jack Abramoff 1202 [REDACTED]

### Conversation - Instant Messages (15)

- ☆ [REDACTED] WhatsApp.net Charles Johnson 7/15/2017 11:31:29 PM(UTC+0)  
Spoke to Mr Bryan
- ☆ [REDACTED] WhatsApp.net Charles Johnson 7/15/2017 11:31:47 PM(UTC+0)  
We are on the same page and i am moving to help him
- ☆ [REDACTED] WhatsApp.net Jack Abramoff 11/8/2017 9:27:51 PM(UTC+0) [REDACTED]  
Hi Charles. Hope you are doing well. Can you please fill out the attached W9, scan and get it back to me? it's for the \$5,000 payment from Landfair on July 12, 2017. I believe it went to CCJ Strategies. thanks so much! hope to see you soon.
- ☆ [REDACTED] WhatsApp.net Charles Johnson 11/8/2017 10:28:25 PM(UTC+0)  
Email this to finance@wesearchr.com
- ☆ [REDACTED] WhatsApp.net Jack Abramoff 1/31/2018 5:55:56 PM(UTC+0) [REDACTED]  
<https://app.frame.io/f/c47b0590-03ad-4b5d-a056-db3e6bb1bd22>  
Attachments:  
  
Frame.io  
<https://app.frame.io/f/c47b0590-03ad-4b5d-a056-db3e6bb1bd22>  
[9afeb12b-b74a-4ae9-9a97-5c6cfb72e97a.thumb](https://app.frame.io/f/c47b0590-03ad-4b5d-a056-db3e6bb1bd22/9afeb12b-b74a-4ae9-9a97-5c6cfb72e97a.thumb)
- ☆ [REDACTED] Jack Abramoff 1/31/2018 5:56:03 PM(UTC+0) [REDACTED]  
password: AMLB!
- ☆ [REDACTED] WhatsApp.net Jack Abramoff 2/2/2018 3:41:51 PM(UTC+0) [REDACTED]  
<http://www.washingtonexaminer.com/first-veterans-now-kim-jong-un-banned-from-super-bowl-ads/article/2647927>  
Attachments:  
  
First veterans, now Kim Jong Un banned from Super Bowl ads  
<http://www.washingtonexaminer.com/first-veterans-now-kim-jong-un-banned-from-super-bowl-ads/article/2647927>  
[fecf774e-4c81-4e08-9f60-4d1cce1ce902.thumb](https://www.washingtonexaminer.com/first-veterans-now-kim-jong-un-banned-from-super-bowl-ads/article/2647927/fecf774e-4c81-4e08-9f60-4d1cce1ce902.thumb)
- ☆ [REDACTED] WhatsApp.net Charles Johnson 2/2/2018 6:57:39 PM(UTC+0)  
Good hit
- ☆ [REDACTED] WhatsApp.net Charles Johnson 3/21/2018 3:47:38 AM(UTC+0)  
What do you think of Samuel Okey Mbonu?





sapp.net Charles Johnson

3/21/2018 3:54:53 AM(UTC+0)

He is running for president of Nigeria.




sapp.net Jack Abramoff

3/21/2018 3:55:55 AM(UTC+0)



pretty corrupt place



whatsapp.net Charles Johnson


3/21/2018 3:56:03 AM(UTC+0)

Very unclear. CIA wants him.




12022369706@s.whatsapp.net Jack Abramoff

3/21/2018 3:56:14 AM(UTC+0)



uh oh



12022369706@s.whatsapp.net Jack Abramoff

3/21/2018 3:56:15 AM(UTC+0)



:)



16174294718@s.whatsapp.net Charles Johnson

3/21/2018 3:56:25 AM(UTC+0)

Yup.

## FEDERAL BUREAU OF INVESTIGATION

Date of entry 12/19/2022

Shalabh "Shalli" Kumar was interviewed via video teleconference. Kumar was aware of the identity of the interviewing agents from prior interviews. Also participating in the interview was Michelle Parihk, Trial Attorney with the United States Department of Justice Public Integrity Section. After being introduced to the personnel participating, and advised of the nature of the interview, Kumar provided the following information:

Due to Kumar's extensive business dealings, Kumar considers himself very familiar with legal processes, and has been a party in multiple lawsuits, and participated in approximately 150 depositions. Kumar is typically the plaintiff in civil lawsuits. Kumar has not participated in any criminal legal proceedings.

Kumar considers Paul Erickson to be a "pure crook" regarding Erickson's efforts to defraud Kumar. In contrast, Kumar considers Nick Muzin to have gotten "greedy" and to have made a mistake.

Approximately two to three months prior to this interview, Muzin reached out to speak to Kumar. Kumar declined to speak to Muzin. Muzin has not attempted to contact Kumar since, and Kumar has not attempted to contact Muzin.

Approximately two to three weeks prior to the interview, Reince Priebus, and invited Kumar to lunch. Priebus was curious about what happened regarding the Muzin investigation, and the FBI Agent who interviewed Priebus. Kumar believed Priebus was a little defensive when discussing the matter with Kumar, but Priebus was sympathetic. Priebus believed Muzin's actions were "terrible". The conversation approximately five to seven minutes. Kumar did not know if Priebus had any other reason to call Kumar. Priebus' call was prior to the FBI contacting Kumar's counsel, George Twilliger.

Kumar had a conversation with Priebus in January 2017 regarding the e-mail purportedly authored by Priebus. Priebus did not appear to take the e-mail seriously.

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Investigation on 07/18/2022 at Oakland, California, United States (Other (Video teleconference))

File # 58D-SF-2113481-302 Date drafted 09/16/2022

by Ethan A. Quinn, ROAHN WYNAR

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58D-SF-2113481-302

(U) Interview of Shalabh "Shalli" Kumar on

Continuation of FD-302 of July 18th, 2022, On 07/18/2022 , Page 2 of 5

On June 9th, 2017 Priebus invited Kumar to the Rose Garden at the White House. At the time, Priebus appeared to be supporting Kumar as an ambassador candidate. Jared Kushner, Newt Gingrich, and Senator Orrin Hatch were all advocating for Kumar's appointment. Kumar discussed Kumar's appointment with President Trump, and Trump seemed to agree with the idea, and told Kumar to "go find Reince".

Kumar may have seen Priebus at several events, including some at the Mar-a-Lago Club in Florida and some in Washington, D.C.. Kumar was spending a significant amount of time in Washington, D.C.. At the meeting in June 2017, Kumar did not bring up the fake Priebus e-mail with Priebus.

Kumar was interested in a "serious" ambassadorship, meaning a role with significant responsibilities. Priebus told Kumar that India was not available, and the White House had a different candidate they preferred.

In August 2017, Kumar was contacted by the State Department's personnel branch. Kumar had been informed by Kushner, Gingrich, and Hatch that Kumar was going to be appointed Ambassador to Thailand.

Kumar participated in many meetings. Kumar was assigned State Department personnel to manage Kumar's process. Kumar filled out the paperwork regarding Kumar's background investigation, financial planning to divest ownership of Kumar's companies, and other corporate planning. Kumar turned Kumar's companies over to Kumar's son. Kumar began the preparations by late 2017, and completed them in March or April of 2018. Kumar was then sent to the Ambassador training school.

Kumar's appointment was submitted to the Kingdom of Thailand, but was initially delayed due to the chaos of the high profile trapping of school children in a cave. Kumar understood Kumar's appointment reached the Privy Council of Thailand.

However, on September 10th, 2018, Kumar's application was put on hold. No one informed Kumar the reason for the hold. Kumar understood there may have been something to do with Kumar being associated with a Russian agent.

Kumar did not know anything about Russian agents, had done no business in Russia, and never traveled to Russia.

Katia Last Name Unknown, and Sharon Ducey one of the State Department personnel working on Kumar's appointment, put the appointment on hold. It remained on hold forever.

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(U) Interview of Shalabh "Shalli" Kumar on

Continuation of FD-302 of July 18th, 2022, On 07/18/2022 , Page 3 of 5

Once Kumar's appointment was on hold, no one wanted to touch it. Kushner did not do anything else regarding Kumar's appointment. Gingrich tried, but had no success. Priebus may have also tried. No one would respond to queries. The reason for the hold remained a mystery to Kumar.

Kumar also heard talk about Kumar not being allowed into the White House, though no one would come out and openly say that. Kumar was called by Brian Jack, a political staffer for President Trump, saying the Trump campaign wanted to see Kumar in May of 2020. This was delayed due to the COVID-19 isolations. Kumar did attend the 2020 Republican national convention.

The principal individuals backing Kumar to be Ambassador to Thailand were Kushner and Gingrich. Kushner and Gingrich believed Kumar would be valuable in countering the influence of China. The Kingdom of Thailand is largely Hindu, and since Kumar is also Hindu, Kumar would connect well with the Government of Thailand.

Kumar was given an extensive background check. Kumar understood nearly 200 people were contacted on two to three continents. Kumar's friends, colleagues, business associates and personal employees like Kumar's gardener.

Kumar was instructed to tell Kumar's references about a background check, but not what the position was for.

Kumar does not know if Muzin was spoken to by the State Department, or if Muzin was aware the background check was occurring.

Kumar received a call from Muzin, following the end of Muzin and Kumar's relationship, regarding the appointment of Ken Jester as Ambassador to India. The call likely occurred sometime in March or April 2017. Muzin was advising Kumar understand the appointment as Ambassador to India was over. Muzin did not mentioned anything regarding the earlier e-mails impersonating Priebus.

Kumar thought Muzin was trying to protect Jester by ensuring Kumar was supportive. Kumar understood Steve Bannon wanted Jester out of the White House quickly. Jester was appointed Ambassador in October 2017. Kumar did not know Jester, and Kumar did not speak to him. Kumar likely received an introduction e-mail, and Kumar responded and offered Kumar's support.

Kumar was not sure if anyone would have told Muzin about Kumar's background check being conducted. There were many people who Muzin would

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(U) Interview of Shalabh "Shalli" Kumar on

Continuation of FD-302 of July 18th, 2022, On 07/18/2022 , Page 4 of 5

have likely known mutually with Kumar, but none that Kumar could think of.

Gingrich never asked Kumar for anything in exchange for Gingrich's support. Gingrich did not ask for money or for Kumar to contribute to political candidates. Gingrich simply believed in Kumar, and believed Kumar's appointment would be good politics.

Kumar only had one conversation via e-mail with Gingrich regarding the purported e-mail from Priebus. The e-mail was brief, with Gingrich affirming the e-mail address Kumar used to contact Priebus did not belong to Priebus. Kumar believes the exchange may have occurred sometime in or after July 2017. Kumar may have contacted Gingrich after Priebus failed to respond.

Muzin initially gave Kumar an e-mail address of Rincel@gmail.com. Kumar did not receive a response from Rincel@gmail.com, but also did not receive any error message.

Later, Muzin provided a second e-mail address, greenbaybadger9@gmail.com. Kumar did not find anything suspicious about the e-mail address, including it being a gmail address rather than an official government address. Muzin always provided believable information to Kumar.

Kumar drafted an e-mail to Priebus. Kumar drafted the e-mail by himself, without Muzin's input. Kumar sent the e-mail to greenbaybadger9@gmail.com within a few days of learning the e-mail address. Kumar received a respond purportedly from Priebus about two to three weeks later.

Kumar began to have concerns regarding the lack of movement on Kumar's appointment, and reached out to Gingrich. Kumar did not think the e-mail address was fake until Gingrich told Kumar. Kumar contacted Gingrich for Gingrich's thoughts.

Kumar conversed with Muzin several times regarding the e-mail. Muzin blamed Paul Teller initially, claiming Teller was known for sending fake e-mail addresses. Kumar pushed Muzin for Kumar to speak directly to Teller. Kumar may have sent e-mails to Muzin regarding it, in addition to phone calls.

Following Kumar's ongoing efforts to speak to Teller, Kumar and Muzin argued about Kumar's desire to confront Teller. Eventually, Muzin confessed to setting up the greenbaybadger9@gmail.com account.

Kumar was not sure how Muzin set up the account. Kumar is aware anyone

**Muzin didn't. FBI knew it was Jack.**

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(U) Interview of Shalabh "Shalli" Kumar on

Continuation of FD-302 of July 18th, 2022, On 07/18/2022 , Page 5 of 5

could set up a gmail account.

Prior to the fallout over the e-mail, Muzin and Kumar got along well. Kumar would stay at Muzin's home when Kumar was in Washington D.C.

Kumar recalled Muzin getting much greedier following January 2017. Muzin did not recall other staff who worked with Muzin. Keith Urbahn was a media representative who worked with Muzin.

Muzin told Kumar about a former President of a European county who was going to pay Muzin \$1,000,000 for a meeting with Kushner. Kushner never asked Kumar for anything.

Kumar is not aware of James Kahrs, Jack Abramoff, or Neil McCabe being interviewed as part of the background investigation.

The chief background investigator was aware of Kumar's book, because the investigator came many times to Kumar's home and the investigator mentioned the book.

Following the interview, Kumar voluntarily provided relevant e-mails. The e-mails are kept in a digital only format in the 1A section of the file. Kumar also provided the following information with the relevant emails: Kumar first contacted Speaker Gingrich on April 16, 2017. He replied on April 17, 2017 stating that the greenbadger email address was not Reince's email ID.



# Extraction Report






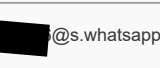




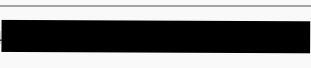





Apple iPhone Logical

**\*Scaramucci\***

## Participants

Anthony  
Jack Abramoff

## Conversation - Instant Messages (14)

☆		 whatsapp.net Anthony	6/6/2017 7:36:02 PM(UTC+0)	
		Thanks Jack sorry for all of the movement		
☆		 whatsapp.net Anthony	6/6/2017 11:12:00 PM(UTC+0)	
		Great seeing you. Thanks for everything what whirlwind		
☆		19174393646@s.whatsapp.net Anthony	6/30/2017 1:24:25 AM(UTC+0)	
		Attachments:  <a href="https://mmg.whatsapp.net/d/f/AjI0d7rXzO8AzB7IRZtSzj4JeMvljczks-Vizq43P76.enc">https://mmg.whatsapp.net/d/f/AjI0d7rXzO8AzB7IRZtSzj4JeMvljczks-Vizq43P76.enc</a> <a href="db81c00c-f382-4c9a-8c04-5fb1ae4e56b2.jpg">db81c00c-f382-4c9a-8c04-5fb1ae4e56b2.jpg</a>		
☆		 646@s.whatsapp.net Anthony	6/30/2017 3:45:01 AM(UTC+0)	
		thanks for everything		
☆		 @s.whatsapp.net Jack Abramoff	7/21/2017 4:36:57 PM(UTC+0)	
		great news!!! So happy for you!!! and the nation!		
☆		 hatsapp.net Jack Abramoff	7/30/2017 6:19:51 PM(UTC+0)	
		hi Anthony. You did a great job smashing the leakers, and getting rid of Priebus. But you have a WH staff with little experience in bending Capital Hill to its will. Kelly is great to get things orderly, but you yourself need to take command of the dealings with Capital Hill, and bring in people to advise you, such as Gingrich (quietly, but must happen). I don't like Newt, but he knows how to deal with the Hill, and you guys are being undone by Republicans on the Hill, not the Dems or the media. You also need to do what Reagan did - set up a grassroot lobbying organization to POUND Republicans who don't support you in their states/districts. I headed this for Reagan and can help guide you, but it is a must. You need to weaponize Trump supporters in the states to beat these Republicans back into line. If you don't they will undo everything. If you do, you can get what you need from Congress and tee up the re-elect. Kelly won't know how to do this. You have to be the guy who delivers this, since your star will rise when you fix this one for POTUS. I'm in LA for 2 weeks, but at your disposal if you need me. Jack		
☆		19174 	7/31/2017 2:55:25 AM(UTC+0)	
		I need help Jack!		
☆		1917439 	7/31/2017 2:55:30 AM(UTC+0)	
		Please help me		
☆		 Jack Abramoff	7/31/2017 2:56:45 AM(UTC+0)	
		I'm yours my friend. Whenever and wherever you need me as long as it stays quiet for your sake.		
☆		 Anthony	7/31/2017 2:57:11 AM(UTC+0)	
		Totally. Let me know when you are back		





Jack Abramoff

8/1/2017 1:13:33 AM(UTC+0)



Don't let the bastards get you down. Unfortunately I've been in this place with the media bashing but you are too smart, too talented and too big to let this defeat you. I have some ideas on your next act which we'll discuss in person. I'm with you no matter what and you'll find there are many others who feel the same way I do. Remember: it's darkest before the dawn.



p.net Anthony

8/1/2017 1:36:54 AM(UTC+0)

Thanks Jack. I thought I was there but these guys wouldn't stop



p.net Anthony

8/1/2017 1:40:33 AM(UTC+0)

I look forward to speaking you



Abramoff

2/9/2018 4:12:11 PM(UTC+0)



<https://www.investors.com/politics/commentary/the-coming-cryptocurrency-lobbying-war/>

Attachments:



The Coming Cryptocurrency Lobbying War |  
 Stock News & Stock Market Analysis - IBD  
[https://www.investors.com/politics/commentary/t  
 he-coming-cryptocurrency-lobbying-war/  
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 acb3c759e685.thumb](https://www.investors.com/politics/commentary/the-coming-cryptocurrency-lobbying-war/db223d9a-599d-412f-b8c2-acb3c759e685.thumb)

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

ROWLAND MARCUS ANDRADE,

Defendant-Appellant.

Case Nos. 25-5095; 25-6056; 25-6507

D.C. No. 3:20-cr-00249-RS-1

Northern District of California,  
San Francisco

**DEFENDANT’S MOTION TO USE  
STOCK ASSETS AND CONDUCT  
PUBLIC FUNDRAISER FOR  
SPECIALIZED COUNSEL AND  
FAMILY SUPPORT**

---

**EXHIBIT -H**

***DENT’S DECLARATIONS***

***SEE D.C. Dkts. 498-3 at ¶¶ 5, 7; 548-1 at ¶¶ 4, 5; and 657-1 at ¶ 9.***

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**EXHIBIT -H**

***DENT’S DECLARATIONS***

***SEE D.C. Dkts. 498-3 at ¶¶ 5, 7***

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12 Attorneys for Defendant

13 ROWLAND MARCUS ANDRADE

a

14 IN THE UNITED STATES DISTRICT COURT

15 IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA

16 SAN FRANCISCO DIVISION

17  
18 THE UNITED STATES OF AMERICA, )  
Plaintiff, )

19 vs. )

20 ROWLAND MARCUS ANDRADE, )  
Defendant. )

**DECLARATION OF KERRIE C. DENT IN  
SUPPORT OF ANDRADE'S MOTION FOR  
AN EVIDENTIARY HEARING TO  
ADDRESS GOVERNMENT MISCONDUCT  
AND TO SEEK SANCTIONS, INCLUDING  
POTENTIALLY DISMISSAL OF THE  
INDICTMENT**

) No. 3:20-cr-00249-RS

) Judge: Hon. Richard Seeborg

24  
25  
26 **FILED UNDER SEAL**  
27  
28

1 Kerrie C. Dent, counsel for Defendant Marcus Andrade, states as follows:

2 1. I am one of the lawyers representing Defendant Marcus Andrade in the above-  
3 captioned matter. I file this declaration in support of Mr. Andrade's Motion for an Evidentiary  
4 Hearing to Address Government Misconduct and to Seek Sanctions, Including Potentially  
5 Dismissal of the Indictment ("Misconduct Motion").

6 2. I have reviewed the evidence cited in the Misconduct Motion and have personal  
7 knowledge of the related correspondence between the government and defense counsel. If called  
8 as a witness in this matter, I could competently testify about these matters.

9 3. As set forth below, two of the witnesses who can support our evidence that the  
10 government has suppressed information about Jack Abramoff, and that it was doing so in 2017  
11 and 2018, have information they want to share, but their personal situations have made the  
12 filing of declarations by them difficult at this time. My most email recent communications with  
13 one of our witnesses, earlier this week, resulted in a decision to request that the Court hold an  
14 evidentiary hearing on the government's conduct so that the defense can compel their testimony  
15 by subpoena.

16 4. I request that my declaration in support of Mr. Andrade's Misconduct Motion, and  
17 the Exhibits accompanying the declaration, be filed under seal. Filing the supporting declaration  
18 and its attached exhibits under seal is appropriate because the content of the declaration and the  
19 exhibits contain information covered by a Protective Order in this case (Dkt. # 24).

20 **Suppression of Exculpatory Evidence Relating to Jack Abramoff**

21 5. A theme of Mr. Andrade's defense is that Jack Abramoff orchestrated the charged  
22 wrongdoing, and that Mr. Andrade did not intend to commit fraud. Mr. Andrade and his legal  
23 team believe that, if subpoenaed to testify, at least two current or former government insiders,  
24 one from the FBI and the other from a different agency, would say that the government  
25 intentionally suppressed information about Abramoff's wrongdoing. Corroborating this  
26 testimony, my colleagues and I have caught several instances in which the government in this  
27 case attempted to suppress information adverse to Abramoff that is exculpatory for Mr.  
28

1 Andrade. We have no way of knowing the entire universe of what has been suppressed, and that  
2 is another reason an evidentiary hearing is needed.

3 6. According to publicly available information on the internet, Supervisory Special  
4 Agent (“SSA”) Johnathan Buma was an FBI counterintelligence agent for 15 years, including in  
5 the Los Angeles Field Office, during the time period when Mr. Andrade’s case was investigated  
6 and prosecuted. Buma became an FBI whistleblower in 2023. He also filed a complaint with the  
7 Office of the Inspector General on February 5, 2024, alleging that the FBI was engaged in a  
8 “cover-up of their mishandling of critical national security intelligence.” OIG closed its  
9 investigation of Buma’s complaint on September 19, 2024. Exh. A. He started a petition on a  
10 website called Change.org, where he posted his letter to the OIG and provides information  
11 about his ongoing story as an FBI whistleblower. The petition indicates that Buma’s security  
12 clearance, pay, and benefits were suspended indefinitely, and he is in the process of working out  
13 a settlement with the FBI.<sup>1</sup>

14 3. In a Statement to the U.S. Senate Committee on the Judiciary, on July 15, 2023  
15 (Exh. B), Buma explained that much of his work focused on billions of dollars of international  
16 money laundering being done at the behest of the Russian government. Statement of Johnathan  
17 C. Buma, ¶9. Agent Buma’s Statement was not made publicly available on the Committee’s  
18 website, so the information I have provided here is based on leaked copies of the Statement  
19 available on the internet and referenced widely in news publications. This money laundering,  
20 and Jack Abramoff’s participation in it in ways that impacted Mr. Andrade’s business and the  
21 allegations in the indictment, is an integral part of Mr. Andrade’s defense – a defense that Judge  
22 Beeler, repeatedly and over the government’s repeated objections, found to be material to the  
23 preparation of Mr. Andrade’s defense.

24 4. In his Statement to the Judiciary Committee, Buma stated that FBI management  
25 was suppressing the gathering of this information:

26 \_\_\_\_\_  
27 <sup>1</sup> The petition and related information are available here: [www.change.org/p/reform-the-department-of-justice-and-fbi-to-protect-whistleblowers-and-end-political-bias/u/32942753](https://www.change.org/p/reform-the-department-of-justice-and-fbi-to-protect-whistleblowers-and-end-political-bias/u/32942753)  
28

1 I have become aware of highly suspicious suppression of investigations and  
2 intelligence gathering on the part of FBI management; these actions can have  
3 no legitimate national security basis and to the contrary could only be  
4 detrimental to its mission. The matters relate generally to the Russian  
5 Intelligence Service (RIS) in the context of foreign influence over U.S. elections  
6 and an apparent effort within FBI management to shield certain politically  
7 active figures and possibly also FBI agents who have a relationship with these  
8 figures.

9 See Senate Statement at ¶2; see also ¶¶ 24-38 (providing details, including the impact on Buma's  
10 own work, and the consequences he suffered as a result).

11 5. Based on several conversations I have had with confidential sources with close  
12 knowledge of Buma's work, and my review of a substantial amount of discovery in this case  
13 over the past 30 months, my understanding is that some of Buma's work – and the suppression  
14 of investigation and intelligence gathering that he reported to the Judiciary Committee – related  
15 directly to Mr. Andrade's case and to Jack Abramoff. Among Buma's specific activities that  
16 were subject to suppression were his work with a Confidential Human Source ("CHS") who  
17 dealt with Abramoff and who was familiar with and able to explain to Buma the meaning of  
18 Abramoff's handwritten notes that – according to Abramoff – were taken by Abramoff during a  
19 meeting with Ukrainian billionaire and accused money launderer Ihor Kolomoisky, and  
20 Ukrainian businessman Alexander Levin in May 2018 (the "Abramoff Notes"). Buma  
21 summarized his meeting with the CHS and the CHS's interpretation of the Abramoff Notes in a  
22 302 report produced in discovery in this case. Exh. C. The Abramoff Notes directly reference  
23 Mr. Andrade and aspects of the government's allegations against him, including references to  
24 Mr. Andrade's companies, his patents, his compliant digital currency, and DITN, the London-  
25 based company that was working on issues related to Mr. Andrade's digital identity technology.  
26 If the Court holds an evidentiary hearing, I expect that Buma could provide additional  
27 information about these portions of the Abramoff Notes and whether they were included in the  
28 initial version of Buma's 302 report that summarized his conversation with the Confidential  
Human Source.



1           6. To be sure, the notes taken by Abramoff when he met with Levin and Ukrainian  
2 oligarch Ihor Kolomoisky in May 2018 also related to Abramoff's U.S. public relations effort to  
3 support his pro-Russia agenda, efforts to remove the Ambassador to Ukraine, and cutting off aid  
4 to Ukraine. My review of discovery materials over the past few years, and the work of my  
5 colleagues as well, has revealed that Abramoff's pro-Russia agenda, which he articulates clearly  
6 in a video he created in early 2017, underlies much of the illegal lobbying work and money  
7 laundering in which Abramoff engaged from 2017 to 2020, often intertwined with his work on  
8 AML Bitcoin.

9           7. If the Court holds an evidentiary hearing on Mr. Andrade's misconduct motion  
10 and allows us to subpoena Buma, I expect that Buma would testify that one of the ways the FBI  
11 suppressed information about Abramoff was by instructing agents not to include damaging  
12 information – regardless of its relevance – about Abramoff in their FBI 302 reports. I also  
13 expect that Buma could testify that he and the other agents present for the meeting with the  
14 CHS in February 2020 were ordered to edit the 302 Report to remove some of the information  
15 about Abramoff as it relates to Mr. Andrade's case, and that other 302 Reports authored by  
16 Buma in connection with Mr. Andrade's case were not produced in discovery at all.

17           8. If the Court holds an evidentiary hearing on the government's misconduct in this  
18 case, I expect that a second witness will testify about their experience as a former government  
19 employee in a different agency who also has knowledge of the government's suppression of  
20 information about Abramoff and his wrongdoing. Based on my communications with this  
21 witness, I expect the witness would also testify about the government's suppression of evidence  
22 relating to information about Landfair Capital Consulting, LLC, the company that was owned  
23 by Abramoff's college-aged son and was used by Abramoff to engage in illegal lobbying and  
24 money laundering activities during the relevant time period.

25           9. Beyond the testimony of these two witnesses, my review of documents and  
26 recordings in this case revealed that the FBI also attempted to suppress exculpatory Abramoff  
27 evidence that it found in Maria Butina's apartment in July 2018. In an interview of Abramoff,  
28

conducted immediately before the FBI’s execution of a search warrant at his home on September 13, 2018, Agent Quinn described to Abramoff that he had found “a number of things relating to Mr. Andrade’s project AML Bitcoin” (including extensive handwritten notes) when the case agents searched Butina's home in D.C. a few months earlier. We learned of the evidence only after painstakingly listening to a two hour recording that was among hundreds of recordings in this case: the documents were not referenced in the 302 report the agents wrote up after their interview of Abramoff. Exh. D. The 302 report also omitted much of the information about Landfair Capital Consulting, LLC, that was discussed. Landfair Capital was owned by Abramoff’s son, and Abramoff used it repeatedly to pay for and receive payment from his illegal activities, including money laundering. On the recording of the Abramoff interview, the case agents tell Abramoff that Landfair Capital “raised red alerts” and that they had dubbed the Landfair bank account “the money connection.” Recording 1D-39 at 57:24 and 1:5:00.

10. After listening to the recording of the case agents interviewing Abramoff, I asked the government, during a meet and confer, to produce the Butina documents referenced by Agent Quinn. The government refused, insisting in meet and confer calls and in emails that Butina has “no connection” to AML Bitcoin or the case against Mr. Andrade. It was not until I informed the government in an October 14, 2022 letter, that we were planning to file a motion to compel, seeking the Butina documents and a host of other material, that the government agreed to produce the Butina documents.<sup>2</sup> It produced the Butina documents a few months later, on January 4, 2023. Exh. E. Agent Quinn’s 302 report summarizing of the material seized during search of Butina’s residence – prepared four and a half years after they were seized, and only after we requested them – describes the Butina documents as “digitally scanned copies of

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<sup>2</sup> The letter I wrote to the prosecutors states in part: “The government’s position has been that you are not aware of any substantive connection between Butina and the case against Mr. Andrade. However, as we discussed during our October 3, [2022] call, FBI agents Quinn and Wynar are well aware of the connections between Butina and Mr. Andrade’s case. In the recording of a conversation with Abramoff at his home on September 13, 2018, Agent Quinn states that he found “a number of things” relating to Andrade’s AML Bitcoin when searching Butina’s home and took “extensive notes” on what was found. (Recording ID-39, 58:00-59:00).

1 AML Bitcoin marketing materials, and handwritten notes which appear to be authored by Paul  
2 Erickson, taken from a meeting with Jack Abramoff on June 3, 2018.” Exh. F.

3 11. The Butina documents proved to be not only material to Mr. Andrade’s defense,  
4 but also exculpatory. The twenty pages found in Butina’s residence during the FBI search  
5 showed that Abramoff, without Andrade’s knowledge, was discussing with Erickson (and  
6 possibly Butina, who was engaged to Erickson at the time) not only the marketing of Mr.  
7 Andrade’s business but also the use of Mr. Andrade’s technology for other purposes that appear  
8 antithetical to their use for Mr. Andrade’s businesses. Among other things, the pages include a  
9 multi-platform campaign to promote the deregulation of the cryptocurrency industry – the  
10 opposite of Mr. Andrade’s approach, which was to sell AML Bitcoin as the only cryptocurrency  
11 that would be compliant with regulations such as anti-money laundering and “know your  
12 customer.” The handwritten notes also included references to “Marcus Andrade” and “AML  
13 Bitcoin or Die.” Exh. E. *See also* Andrade’s Supplemental Memorandum in Support of Motion  
14 to Compel Discovery, Dkt. #153 at 5:4-15 (March 15, 2023).

15 12. Through my work on this case, I also have seen evidence that the FBI attempted  
16 to suppress exculpatory evidence found in Abramoff’s iPhone. One of my colleagues requested  
17 Abramoff’s iPhone 5, SVE056536 (1B4), and more than ten additional Abramoff devices, in a  
18 letter dated March 3, 2022 (Exh. G, Req. #13 (a)), and the government produced a Cellebrite  
19 file from the iPhone a few months later. In or around November 2022, I read an FBI 302 report  
20 that was described as a “partial review of evidence item 1B4, the cellular telephone belonging to  
21 Jack Abramoff.” More than one hundreds of the messages referenced in the FBI’s summer  
22 were WhatsApp messages from May to September 2018, between Abramoff and Levin, whose  
23 communications and dealings with Abramoff were found by Judge Beeler to be material to the  
24 preparation of Mr. Andrade’s defense. Exh. H; Discovery Order, Dkt. #165 at 7-8 and 11 (April  
25 7, 2023). The messages were listed, but no content was provided, and none of them were on the  
26 Cellebrite file of Abramoff’s phone that was produced to Mr. Andrade. The 302 report  
27 summarized a handful of exculpatory messages – some of which specifically reference AML  
28

1 Bitcoin – but, like the hundreds of messages that were listed on the 302 report, the summarized  
2 messages were *not* included on the Cellebrite file the government produced to Mr. Andrade. In  
3 other words, the government omitted files from the Cellebrite report it produced to Mr. Andrade  
4 that it deemed relevant and had included in the Cellebrite report provided to the prosecutorial  
5 team.

6 13. Other messages the government reviewed and either referenced or summarized in  
7 its 302 report, but omitted from the Cellebrite report produced to Mr. Andrade, included emails  
8 related to Abramoff's illegal activities with international money launderer Gennadiy  
9 Bogolyubov and how those illegal activities would be disguised as digital currency consulting  
10 work that was to be paid for through Landfair Capital, the company whose bank account was  
11 used by Abramoff for AML Bitcoin purchases and to hide his illegal lobbying and pro-Russia  
12 public relations campaign, some of the activities in which he engaged behind Mr. Andrade's  
13 back. The emails also show Abramoff and Bogolyubov discussing AML Bitcoin. Exh. H.

14 14. I explained to the government in a December 9, 2022 email that the produced  
15 image of Abramoff's iPhone did not include the communications the case agents had  
16 summarized and referenced in their 302 report. Exh. H. The meet-and-confer process provided  
17 little insight into why the government failed to produce so many exculpatory documents relating  
18 to Levin, Abramoff, and AML Bitcoin. The government's explanation evolved from "Agent  
19 Wynar forgot to include the messages in the Cellebrite file" to "we have not been able to  
20 determine exactly which additional communications were not produced" to "we are preparing to  
21 produce a complete version of Jack Abramoff's phone." On March 8, 2023, the government  
22 confirmed that it would be producing the full version of Abramoff's phone. The prosecutors  
23 told me that the Cellebrite files for the phone were "sitting on the desk," and that the production  
24 likely would be made "in the next day or so."

25 15. On March 22, 2023, the government also made representations to Judge Beeler  
26 that it would be producing the complete Abramoff phone to Mr. Andrade, using its promise of  
27 producing a complete extraction of Abramoff's phone as a reason that it should not be required  
28

1 to produce the phones of Alexander Levin, Paul Erickson, and Maria Butina. The government  
2 wrote in its supplemental opposition that “in the course of meet-and-confer negotiations, the  
3 Government obtained Abramoff’s consent to produce a complete extraction of his mobile  
4 device, with only potentially privileged materials removed. Defendant therefore does not need  
5 devices associated with Paul Erickson, Maria Butina, or Alexander Levin in order to gain  
6 insight into Abramoff’s communications. Defendant will have the same information directly  
7 from Abramoff’s devices.” Gov’t Supp. Opp. to Andrade’s Second Motion to Compel, Dkt.  
8 #158 at 3 (emphasis added). The government lost the motion to compel. On April 7, 2023, the  
9 court ruled in Mr. Andrade’s favor on the materiality of Levin, Butina, and Erickson. Discovery  
10 Order, Dkt #165 at 11-13 (“Mr. Andrade has established a connection to this case surrounding  
11 Mr. Abramoff’s involvement with Ms. Butina and Messieurs Levin and Erickson, and limiting  
12 the production to references to Mr. Andrade and AML Bitcoin is too narrow.”).

13 16. Butina is a far-right influential Russian politician and currently a member of the  
14 State Duma in Moscow. When Butina was a college student in the United States, FBI searches  
15 of her home in April and July 2018 resulted in her being charged with, and pleading guilty to,  
16 conspiracy and acting as an agent of a foreign government. She told the FBI that Erickson had  
17 several conversations with Abramoff about AML Bitcoin. Exh. F.

18 17. More than two months after the government told defense counsel – and the Court  
19 – that it would produce the complete Abramoff phone, the government still had not followed  
20 through with its promise to produce the phone. In a letter dated May 10, 2023, I asked the  
21 government to either “produce the complete Cellebrite files of Abramoff’s phone immediately,  
22 or explain why [it was] not able to do so.” Exh. I. I also offered to meet and confer about the  
23 issue if the government thought such a meeting would be helpful, but the government did not  
24 respond. Then, during a court-ordered meet-and-confer on May 24, 2023, the government  
25 reversed itself and announced that the government was *not* going to produce the Abramoff  
26 phone. The government ultimately produced the phone only after Mr. Andrade filed and won a  
27  
28

1 motion. *See* Andrade’s Motion to Compel Production of Abramoff Phone, Dkt. #192 (June 23,  
2 2023), granted on July 13, 2023.

3 **The Government’s Destruction of Exculpatory Evidence**

4 18. Although the government did eventually produce Abramoff’s iPhone, several of  
5 Abramoff’s other devices were destroyed before the images could be produced to Mr. Andrade.  
6 Defense counsel first requested Abramoff devices on March 3, 2022, providing descriptions of  
7 the devices (Request #13) and citing evidence numbers assigned by the FBI as well as FBI  
8 reports referencing the devices. Exh. G, Mar. 3, 2022 Letter, citing: Exh. J (Agent Wynar’s list  
9 of digital material seized from Abramoff’s residence, including a computer disc, a Seagate Hard  
10 Drive, an Oceana USB Thumb drive, a Dell Latitude Laptop, two discs from an Asus Laptop,  
11 and an iPhone); Exh. K (report from Silicon Valley Regional Computer Forensics Laboratory  
12 indicates that the FBI delivered ten devices seized from Abramoff’s home to the laboratory for  
13 taint review); and Exh. L (update on taint review of Abramoff’s devices).

14 19. Abramoff’s devices were included in Mr. Andrade’s third motion to compel  
15 discovery, filed on January 15, 2024. Dkt. #275 at 18-20. The government insisted that, even  
16 though it still had possession of the devices (since it seized them in September 2018), it no  
17 longer could “lawfully access” them. Gov’t Opp. to Third Motion to Compel Discovery, Dkt. #  
18 283 at 8:20-28 (Feb. 15, 2024) (citing *United States v. Balwani*, 18-cr-258, EJD, Order at 9  
19 (N.D. Cal. Apr. 8, 2022) (Dkt. # 1393). In response, Judge Beeler ordered the government to  
20 return the devices to Abramoff’s counsel so that Mr. Andrade could subpoena them. Discovery  
21 Order, Dkt. #292 at 3:7-13 (Mar. 17, 2024).

22 20. I communicated with the government and with Abramoff’s counsel multiple times  
23 in an attempt to coordinate the return of Abramoff’s devices so that my client would be  
24 provided an opportunity to subpoena the devices. The government appears to have made no  
25 effort to ensure that the devices were preserved. It ignored my March 18, 2024 email, Exh. M  
26 (“let us know if you have located a representative for Abramoff to whom you will return his  
27 devices, and your expected timing for returning copies of the devices to his counsel”). I wrote  
28

again to the government on March 24, Exh. N (reminding the government to provide its “expected timing for returning Abramoff’s devices to him or his counsel” and “the timing as well as to whom the government plans to send the devices”). In response, the government wrote on March 28 that it “anticipate[s] returning the seized Abramoff devices to his counsel by May 3, 2024. You can contact Attorneys Abbe Lowell and Richard Webber at Winston & Strawn LLP about Abramoff’s devices.” Exh. O. I wrote to Abramoff’s counsel, Abbe Lowell, the very same day (March 24), copying the government, informing Abramoff’s counsel of the Court’s March 17 Order, and requesting that Mr. Lowell, Mr. Abramoff, and Mr. Lowell’s firm “preserve all of the data on any and all of his devices that the government seized from [Abramoff]”). Exh. P. Abramoff’s counsel never responded. The government ignored my May 3 email, Exh. Q (“let us know immediately when you intend to return Abramoff’s devices to his counsel so that we can serve a subpoena for the devices as soon as they are received by Mr. Lowell”) and my May 15 email, Exh. R (“let us know when you intend to return Abramoff’s devices to Mr. Lowell”). On June 7, I wrote, “You have not responded to our repeated requests that you return Abramoff’s devices to his counsel so that we can serve a subpoena for them, and that you let us know when you are doing so. If you do not plan to return the devices to Mr. Abramoff’s counsel by the end of next week, please let us know so that we can take the issue to Judge Beeler.” Exh. S. The government did not respond, prompting one last email, on June 12, Exh. T (“let us know whether you plan to return Abramoff’s devices to Mr. Lowell this week or if we should take that issue to Judge Beeler”). Instead, the government wrote on June 13, 2024, that it “has returned *all of the Abramoff devices* in its possession to counsel for Mr. Abramoff.” Exh. U.

21. The day after we were informed that Abramoff’s devices had been returned to his counsel, we and the Supervisory Deputy U.S. Marshal notified Abramoff’s counsel that a subpoena for the devices would be served by mail. We already had asked the Court to issue the subpoena so that we could have it served as soon as he received his devices from the government. Nevertheless, Abramoff’s counsel responded to the subpoena on July 29, 2024,



1 producing nothing but two drafts of a statement promoting AML Bitcoin, which Abramoff  
2 wrote for his friend Representative Dana Rohrabacher to read on the House floor in July 2017,  
3 all as part of the hype Abramoff created in his effort to encourage Mr. Andrade to do an initial  
4 coin offering (“ICO”) for his cryptocurrency. The cover letter accompanying the production  
5 stated: “[E]nclosed please find a true and correct copy of the electronic device returned to our  
6 client via Winston & Strawn LLP . . . *which was the only device in our client’s possession upon*  
7 *receipt of the Subpoena.*” Exh. V.

8 22. I believe that a reasonable inference (at least sufficient to trigger further inquiry at  
9 a hearing) to be drawn from the government’s conduct – its resistance to simply coordinate the  
10 return of the Abramoff devices through a simple call or email – is that there was information  
11 incriminating of Abramoff (and exculpatory of Mr. Andrade) that Abramoff (and the  
12 government) did not want Mr. Andrade or this Court to see. The Abramoff iPhone that *was*  
13 produced (after we filed a motion and won) has been the best source of exculpatory information  
14 in the case, and there is no reason to think that Abramoff’s other devices did not also contain  
15 exculpatory information. *See* Declaration of Kerrie C. Dent in Support of Motion to Compel  
16 Production of Abramoff Phone, Dkt. #192-1 at ¶192-1 (June 23, 2023) (“The incomplete  
17 version of the Abramoff phone produced in May 2022 has been a crucial piece of evidence for  
18 us as we have been preparing Mr. Andrade’s defense, especially because it includes exculpatory  
19 evidence and provides a roadmap of the wrongdoing in which Abramoff and his fellow  
20 miscreants engaged with Mr. Andrade’s company, his cryptocurrency, and his patents.  
21 Obtaining the complete Abramoff phone would afford Mr. Andrade the opportunity to identify  
22 additional potentially exculpatory evidence and would help Mr. Andrade prepare his defense  
23 strategy.”).

24 23. The government also destroyed Paul Erickson’s iPhone. Erickson is a long-time  
25 friend and associate of Abramoff. Despite having known of convicted felon Paul Erickson’s  
26 importance to this case for more than five years, the government destroyed Erickson’s iPhone in  
27 “March 2022” (and despite requests the government has not been more specific about the exact  
28

date of destruction). On a purely mathematical basis, this results in about an 80% chance that it was destroyed *after* we made our first request for documents and information relating to Erickson. Exh. W (March 7, 2022 Letter).

24. Special Agents Quinn and Wynar were aware of the materiality of Erickson to Mr. Andrade's case because they were present for the search of Butina's home on July 15, 2018, when twenty pages of AML Bitcoin marketing materials and handwritten notes (which the government attributes to Erickson) were discovered and seized. Erickson's notes that accompanied the AML Bitcoin marketing materials included specific references to "Marcus Andrade" and to "Adopt AML Bitcoin platform or Die." Exh. E at FBI-MAIN-0003833. In fact, as I noted above, the agents conceded on September 13, 2018 that the fact that Erickson had put money into Landfair Capital's account caused "red alerts" for them since that account is the "money connection." A 302 report, dated several months prior to the September 18, 2018 interview and search of Abramoff's home, and authored by Agent Wynar, reviews some bank activity of Erickson and reflects two payments made by Erickson through the Landfair Capital account. Exh. X at 13 (Jan. 17, 2018). In Agent Wynar's February 20, 2018 affidavit of probable cause in support of a subpoena for Erickson's email account, he writes that the San Francisco division of the FBI had been investigating Abramoff since November 21, 2016 and, "[i]n the course of this investigation, the FBI discovered Abramoff was using a secret bank account under the name Landfair Capital Consulting in order to conceal his relationship with lobbying clients from public and government scrutiny." Also, Agent Wynar's affidavit explains that Erickson paid Landfair \$15,000 in the summer of 2017, money that was derived from either Erickson's or Abramoff's fraud, and that Abramoff told FBI undercover agents on June 21, 2017, that "the secret Landfair Capital Consulting account" was designed to conceal his involvement in illegal lobbying activity. Exh. Y, FBI-302-014129 at ¶¶26-27. Consistent with these facts, the Court ruled on April 7, 2023 that "[t]he information [on Erickson's iPhone] is material: Mr. Andrade has established a connection between Mr. Abramoff and Mr. Erickson that relates to this case." Order, Dkt. #165 at 12:3-4.

25. Despite the government’s longstanding knowledge of Erickson’s importance and materiality, the government destroyed the Cellebrite files from Erickson’s phone as “part of standard FBI procedure” on an unspecified date in March 2022 – a fact disclosed to the defense, in writing, on January 25, 2023. Exh. Z.

26. The unspecified day in March 2022 was of interest to me because on March 7, 2022, we had requested Erickson’s statements and documents relating to Abramoff, Mr. Andrade, and AML Bitcoin. In light of the government’s destruction of information that we knew to be relevant, my colleague Michael J. Shepard wrote to the prosecutors on January 27, 2023, requesting additional information about the destruction of the phone. Exh. AA. We also asked the Court to compel the production of extraction evidence that was preserved when the government deleted its image of Erickson’s phone, or, if that evidence did not exist, information about when and on whose authority the devices and extraction reports were destroyed, and about whether the case agents or anyone else took any steps to preserve the evidence and if not, why not. *See* Dkt. # 153 at 9-11. Judge Beeler wrote: “The information is material: Mr. Andrade has established a connection between Mr. Abramoff and Mr. Erickson that relates to this case. But there is no relief that the court can order: the information does not exist. For a clear record, if the government has the Erickson extractions or information about them (like the evidence review in this case, cited above, or information about the destruction), it must produce them.” Order, Dkt. # 165 at 12:3-8 (April 7, 2023). The prosecutors never produced any such data, or at least not any data that was clearly related to the phone we were told had been destroyed.

27. Changing its explanation several times, the government has never definitively answered the question of whether or when the Erickson device was destroyed. During a meet-and-confer phone call on March 2, 2023, the prosecutors told me and my co-counsel Cindy Diamond that they had no information about what day in March 2022 the Erickson phone was destroyed. One of the prosecutors explained that the information was in a database, so he could not send it to us, but that he was looking at an entry on the computer that indicated the phone

1 was destroyed in “March 2020.” Ms. Diamond asked if the prosecutor could take a screenshot  
2 and send it to us so that we could better understand what he was looking at, but he declined to  
3 do so. Despite a defense request, the screenshot was never shared. In fact, when Ms. Diamond  
4 made the reasonable request, the other prosecutor on the call interrupted and said: “This is  
5 ridiculous. I don’t have time for this.” A few days later, at a March 8 meet-and-confer, the  
6 government told Ms. Diamond and me that it was no longer certain whether the Erickson phone  
7 was destroyed or not. Although I asked the prosecutors several times over the next few weeks to  
8 clarify whether the Erickson phone had been destroyed, they declined to answer my simple  
9 question.

10 28. Two weeks later, in its supplemental opposition to Mr. Andrade’s motion to  
11 compel discovery, the government claimed that the Erickson phone was not destroyed in March  
12 2022 after all – the March 2022 date was simply the date that the Erickson “casefile was  
13 formally closed,” and that the government “has not located any records regarding when those  
14 extractions were destroyed.” Govt Supp. Opp. to MTC, Dkt. #158 at 6:13-18 (March 22, 2023).  
15 The government has never explained why “standard FBI procedure” required the phone to be  
16 destroyed in March 2022 even though Erickson’s case was closed on July 7, 2020, the day after  
17 he was sentenced to 7 years in prison for wire fraud and money laundering in connection with  
18 schemes to defraud senior citizens. *United States v. Erickson*, No. 4:19-RC-40015, Dkt. #66  
19 (D.S.D. July 7, 2020). President Trump pardoned Erickson less than a year a later.

20 29. The government’s explanation of the mysterious and possibly undocumented  
21 disappearance of Erickson’s phone took yet another twist after the Court granted Mr. Andrade’s  
22 motion to compel discovery on April 7, 2023, ruling that the phones and other documents  
23 relating to Levin, Erickson and Butina are material to Mr. Andrade’s defense. Discovery Order,  
24 Dkt. #165 (April 7, 2023). To comply with that Order, the government produced a hard drive of  
25 multiple devices seized from Butina and informed defense counsel and the Court that it had now  
26 also complied with its obligation to produce Erickson’s phone because one of the devices on the  
27 Butina hard drive was actually owned by Erickson. The government never disputed that there  
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1 had been another phone belonging to and used by Erickson. Instead, it refused to say anything  
2 more about the subject. The government did state a few weeks later that it “has not located any  
3 additional information . . . regarding the Erickson phone.” Joint Status Report, Dkt. #178 at  
4 7:14-19 (May 26, 2023). This limited response raised more questions than it answered, and  
5 never explained what happened to the Erickson phone it told defense counsel it had destroyed.

6 **The Government’s Invasion of Mr. Andrade’s Attorney-Client Privilege**

7 30. Over the past few years of reviewing and analyzing data on the Relativity database  
8 on which we store the government’s productions in this case, my colleagues and I have  
9 observed that the government gave little regard for Mr. Andrade’s attorney-client privilege.  
10 Most notably, the prosecutorial team collected, reviewed, Bates-numbered, and produced to Mr.  
11 Andrade, privileged documents, which reflects that these documents were seized from Mr.  
12 Andrade, and reviewed by those working on the case for the government, apparently without  
13 even any review by a taint team. For example, the productions reflect legal advice from two of  
14 Mr. Andrade’s key legal advisors – Partners at the law firms DLA Piper and at Whitaker Chalk  
15 – relating to the core allegations against Mr. Andrade, including: emails in February 2018  
16 between Mr. Andrade and his lawyer, John Fahy, regarding SEC regulation of cryptocurrency  
17 (Exh. BB); a July 9, 2018 legal memorandum from DLA Piper to Mr. Andrade, with the caption  
18 “Privileged & Confidential; Attorney-Client Communication,” providing advice on the  
19 application of securities laws to AML Bitcoin token sales (Exh. CC); a letter from Mr. Fahy to  
20 Mr. Andrade, dated September 5, 2018, addressing the DLA Piper memorandum (Exh. DD);  
21 and a September 6, 2018 email from Mr. Andrade to his counsel at DLA Piper, forwarding Mr.  
22 Fahy’s analysis of the legal issue (Exh. EE).

23 31. In addition, we have learned from our review of discovery in this case that several  
24 government witnesses told the FBI that, far from being a scam, Mr. Andrade’s business was  
25 protected by valuable patents, and that rather than look at the patents and assess their value, the  
26 government encouraged its cooperator David Mata to get information about Mr. Andrade’s  
27 patents through his attorneys, repeatedly invading his attorney-client privilege. For example,  
28

Abramoff stated in his proffer interview that he “believed Andrade’s patents were valuable” and that one company had valued the patents at \$100 million. Exh. FF (Feb. 25, 2020). Japheth Dillman told the case agents in a September 20, 2018 interview that “Andrade holds three patents on AML Bitcoin related products,” two of which have been granted globally. Exh. GG.

32. Case agents Wynar and Quinn, and Counterintelligence Special Agent Ablett, on October 1, 2018, summarized some of the documents seized from Abramoff’s home on September 13, 2018, including a collection of documents found on Abramoff’s home office desk relating to Mr. Andrade’s patents. Exh. HH, FBI-302-001959 at 14 (Oct. 1, 2018). The documents of interest to the agents included an email from Mr. Andrade to Abramoff dated August 14, 2018, which identified Christina Ponig, then a Partner at DLA Piper, as one of the people associated with filings of Mr. Andrade’s biometric patent. The government was aware that Ms. Ponig also was one of the lawyers who represented Mr. Andrade in connection with the government’s investigation of Mr. Andrade. On October 3, 2018, David Mata, who had recently begun cooperating with the government, sent Agent Ablett several emails that Mr. Andrade had sent him, asking that Mata not share them because they contained confidential updates on various ongoing projects for AML Bitcoin. Exh. II, Exh. JJ, and Exh. KK. The next day, on October 4, 2018, Agents Ablett and Quinn asked Mata for information about Mr. Andrade’s patents and the allegations against Mr. Andrade that the government was investigating. Mata worked with Special Agents Ablett and Wynar to set up and record a meeting between Mata, Mr. Andrade, and Ms. Ponig. Mata told Agent Ablett that if he takes over the company from Mr. Andrade, he will “reduce the amount of attorneys.” Exh. LL. On October 13, 2018, Mata texted Agent Ablett to let her know that he was “planning a call with Marcus tomorrow to discuss meeting to talk about taking over NAC,” and Agent Ablett replied: “I can send you topics early tomorrow am.” Exh. MM.

33. As promised, Agent Ablett promptly provided Mata with a list of topics she wanted Mata to discuss with Mr. Andrade. Exh. NN at FBI-MAIN-0000672. The long list went well beyond the patents — already relevant to this case — and directly to gathering information

1 about Mr. Andrade's defense to specific allegations that later formed the essence of the  
2 indictment of Mr. Andrade. Agent Ablett's list included more than twenty topics, was  
3 essentially an outline of the government's investigation of Andrade from 2018 until his  
4 indictment in 2020. It covered, for example, AML Bitcoin's budget for technology, the  
5 company's profits, Mr. Andrade's patents, amount raised in the ICO, and the status of ongoing  
6 discussions with the Panama Canal, the Port of San Francisco, the London Stock Exchange, and  
7 other entities that were considering AML Bitcoin.

8 34. On November 5, 2018, Mata told Agent Ablett that he and Mr. Andrade would be  
9 meeting in Houston, Texas on November 13, 2018 either at Mata's hotel or at DLA Piper  
10 because "Christina, a lawyer with DLA Piper, asked to attend the meeting to . . . provide legal  
11 advice." (*see* Exh. LL above). The agents knew that Ms. Ponig was one of Mr. Andrade's  
12 lawyers at DLA Piper (*see* Exh. HH above).

13 35. Other documents suggest that the government may even have known that Ms.  
14 Ponig and her colleagues at DLA Piper were representing Mr. Andrade *in connection with this*  
15 *investigation*. For example, we received documents from the law firm Bell Nunnally, the firm  
16 that took over the representation of Mr. Andrade in 2019, that suggests Ms. Ponig or others at  
17 DLA Piper had communications with AUSA Lloyd Farnham about the return of some of the  
18 documents the government seized from Mr. Andrade's Las Vegas office on September 13,  
19 2018. Exh. PP.

20 36. Knowing that Ms. Ponig would be at the meeting, and knowing that she was one of  
21 the lawyers representing Mr. Andrade in connection with the government's ongoing  
22 investigation, the government sent Mata into a meeting at DLA Piper, wired up, with marching  
23 orders – in the form of a list of topics from the case agents – to delve into the allegations being  
24 investigated by the FBI. The case agents did this knowing that Mr. Andrade and Ms. Ponig  
25 would reasonably believe that Mr. Andrade and Mata had common interests: they were being  
26 investigated by the FBI in related cases, both connected to AML Bitcoin, and they had the  
27 additional common interest of actively working together to determine the best way forward for  
28



NAC Foundation and whether there was a bigger role for Mata to play. Even in light of all of this, the FBI went ahead with the plan to have Mata inquire about subjects that would be part of Mr. Andrade's defense, and to record the meeting. Agents Ablett and Wynar flew to Houston, where they wired up Mata with two recording devices on November 13, 2018 and appear to have "live-streamed"<sup>3</sup> and recorded *more than 8 hours of meetings*, including Mata and Mr. Andrade's drive to DLA Piper, all-afternoon meetings at the law firm, and dinner conversation that evening. *See* Recordings 1D-47 and 1D-48.

37. The full day of recordings covered an array of topics, such as Mr. Andrade's patents, his development of the technology for his cryptocurrency, the best way forward for Mr. Andrade's company, and defense strategies for Mr. Andrade in light of the FBI's recent search of Abramoff's home. On the drive to DLA Piper, Mata suggested that Shalu Maheshwari could be the Chief Legal Officer for Mr. Andrade's companies, focusing on patent litigation. FBI-ELSUR004196 at 9:55-10:45.<sup>4</sup>

38. On the recording, Mr. Andrade can be heard explaining to Mata that Ms. Ponig was one of his most important legal advisers.: "It's like I have all these attorneys to juggle with, and trying to make sure everything's done right. ... She's my main quarterback and she helps me juggle them all. ... She's a great woman. ...I really admire her. ... " FBI-ELSUR-003994, 00:01-01:24.

39. During the meetings with Ms. Ponig, Mata sought information from Mr. Andrade regarding a vast array of issues the government was investigating, many of which it ultimately included in its indictment. For example, *Mata asked Mr. Andrade about the status of negotiations with the Panama Canal FBI-ELSUR003784 at 15:58, and he solicited from Mr. Andrade his perspective on the status of the ongoing marketing efforts to raise awareness of AML Bitcoin by seeking adoption of AML Bitcoin by the Panama Canal, the Port of Dover, and*

<sup>3</sup> The massive phone records for Mata's cell phone (FBI-GJ-0007013) show that data being recorded by Mata on November 13, 2018 was being sent directly to Agent Ablett in real time.

<sup>4</sup> At the request of the Court, we will provide a thumb drive containing any and all recordings cited in this declaration.

1 *the London Stock Exchange. Mata also asked Mr. Andrade about the status of his company's*  
2 *marketing efforts with departments of the U.S. government, including Homeland Security,*  
3 *Treasury, and the Department of Justice, and he wanted to know whether there were "any*  
4 *banks that want to jump" in on the project or any deals with the New York Stock Exchange.*  
5 *Mata also asked questions about the finances of NAC and, after casually chatting with Mr.*  
6 *Andrade about his young children and his own difficult upbringing, he said, "you've got to tell*  
7 *me about this property you've got down in southern Texas" – a reference to Mr. Andrade's*  
8 *purchase of property that the indictment alleges as part of the money laundering count.*  
9 Recording 1D-47, FBI-ELSUR-003784 at 15:50-57:30. Almost all of these topics were on the  
10 list Agent Ablett had provided to Mata before the meeting.

11 40. Agent Wynar appears to have recognized that the agents should not have  
12 disregarded Mr. Andrade's attorney-client privilege by using their cooperating witness Mata –  
13 someone with whom Mr. Andrade would have reasonably believed he had a common interest –  
14 to solicit statements from Mr. Andrade and his lawyer, for hours, relating to its criminal  
15 investigation of him. In an 8-second recording of Mata circling back with Agent Wynar at the  
16 end of the evening on November 13, Agent Wynar asked: "Hmm. Was it really at the attorney's  
17 office? Really? What attorney?" The recording then stops. Recording 1D-48, FBI-  
18 ELSUR004384 at 00:01-00:08.

19 41. A further invasion of Mr. Andrade's attorney-client privilege in an effort to get  
20 information from him involves Mata introducing Mr. Andrade to a lawyer named Shalu  
21 Maheshwari. On October 16, 2018 (a few days after the government was speaking with Mata  
22 about getting more information about Mr. Andrade's patents), Mata introduced Mr. Andrade to  
23 Maheshwari by email, telling Maheshwari that Mr. Andrade had a need for patent  
24 litigation/defense lawyers and was "shopping law firms." Exh. QQ. Mr. Andrade, Mata, and  
25 Maheshwari communicated about Andrade's patent information, and they dangled the attorney-  
26 client privilege to persuade Mr. Andrade that he could send his entire patent portfolio and  
27 underlying documents to Mata and Maheshwari and that it would all be protected by the  
28

1 privilege. Mr. Andrade's belief that his interactions were protected were reenforced by the fact  
 2 that Maheshwari was using an email address from Pillsbury, Winthrop, Shaw Pittman one of  
 3 Mr. Andrade's trusted law firms that had been handling patent work for him since 2016. Mr.  
 4 Andrade sent his confidential patent information to Mata later that day, in an email marked  
 5 "CONFIDENTIAL." Exh. WW. Unbeknownst to Mr. Andrade, Mata then forwarded the patent  
 6 portfolio to Agent Ablett. Exh. XX. Although Mr. Andrade also sent the highly confidential  
 7 patent information to Maheshwari, no ongoing attorney-client relationship ever resulted.

8 42. If the Court holds an evidentiary hearing on the government's misconduct, Mr.  
 9 Maheshwari likely could provide helpful information about what was going on when he and  
 10 Mata were working to obtain copies of Mr. Andrade's patent portfolio. He may be able to  
 11 confirm whether the interaction with Mr. Andrade was part of another effort by the government  
 12 to get information from him by making him think that he was sharing information through  
 13 communications that were protected by the attorney-client and/or common interest privilege.<sup>5</sup>

14 43. The government also disregarded Mr. Andrade's attorney-client privilege when  
 15 Agent Quinn questioned Mr. Andrade for nearly forty minutes -- about the source of money for  
 16 the purchase of his home, his failure to pay taxes, the development of the technology for his  
 17 cryptocurrency, and much more -- *after* Mr. Andrade requested to call his lawyer. All of this  
 18

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19 <sup>5</sup> Maheshwari also may be able to provide information about a second time that he and Mata reached out to get Mr.  
 20 Andrade's patent information by convincing him the communications were protected by the attorney client  
 21 privilege. Maheshwari reached out to Mr. Andrade on March 5, 2020, about a week before the FBI searched  
 22 Andrade's home and office in Texas. After several emails and calls about litigation funding for Mr. Andrade's  
 23 patent portfolio (which had grown since the men spoke in 2018), and with assurances that "[a]ll communications  
 24 will be treated as privileged," Maheshwari informed Andrade he would be using his hotmail address going forward.  
 25 Exh. SS. Maheshwari asked Marcus to share his claim charts and other information, and Mr. Andrade said he  
 26 "would need an engagement agreement" before he could share any data. Exh. SS, Maheshwari responded: "Yes that  
 27 is what I would like to do -- be your counsel to get [the] monetization effort going." After a quick call, Maheshwari  
 28 asked Mr. Andrade to "[p]lease provide any Black Gold Coin patents and patent related documents and *I will treat  
 them as attorney-client privileged documents*, not to be shared with anyone outside my team unless and until  
 authorized by yourself or your representative." Exh. UU. He added: "*Go ahead and send whatever you feel  
 comfortable with - it will remain confidential and privileged with me.*" Exh. SS. Mr. Andrade sent Maheshwari the  
 confidential information, and he put Mata, Khaliq, and Maheshwari in touch with some of his other lawyers to get  
 them the information they needed to assist with patent litigation funding. Exh. VV.

1 occurred during the FBI’s search of his family home. Recording FBI-ELSUR-004458. Although  
2 Agent Quinn told Mr. Andrade at the beginning of the interview that he was free to leave or to  
3 make phone calls, he almost immediately began questioning Andrade about his office situation  
4 when Mr. Andrade interrupted and asked, “Can I call my attorney?” FBI-ELSUR-004458 at  
5 2:18-29. Mr. Andrade informed Agent Quinn that he wanted to call his lawyers at Bell Nunnally  
6 and that he would like his phone back so that he could get the lawyer’s phone number from it.  
7 *Id.* at 2:56 Agent Quinn then interviewed Mr. Andrade for approximately 38 minutes – grilling  
8 Mr. Andrade about the source of the money he used to purchase his home (*id.* at 31:50 – 38:00),  
9 his failure to pay his taxes, and other issues directly related to the allegations in the indictment –  
10 before Agent Wynar stepped into the room and asked Mr. Andrade if he had an attorney he  
11 wanted to call. *Id.* at 37:55. Mr. Andrade reminded Agent Quinn that he had asked at the  
12 beginning of the interview if he could have his phone back so he could get his attorney’s phone  
13 number. *Id.* at 38:13. Agent Wynar permitted Mr. Andrade to call his lawyer, and Agent Quinn  
14 finally ended the recording an hour into the conversation, stating: “Marcus Andrade has an  
15 attorney so we won’t be asking him any more questions. So I’m going to end this recording.” *Id.*  
16 at 1:05:57.

17  
18 I declare under penalty of perjury under the laws of the United States that the foregoing  
19 is true and correct.

20 Executed on January 23, 2025, in San Francisco, California.

21  
22 /s/ Kerrie C. Dent  
23 Kerrie C. Dent  
24  
25  
26  
27  
28

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

ROWLAND MARCUS ANDRADE,

Defendant-Appellant.

Case Nos. 25-5095; 25-6056; 25-6507

D.C. No. 3:20-cr-00249-RS-1

Northern District of California,  
San Francisco

**DEFENDANT’S MOTION TO USE  
STOCK ASSETS AND CONDUCT  
PUBLIC FUNDRAISER FOR  
SPECIALIZED COUNSEL AND  
FAMILY SUPPORT**

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**EXHIBIT -H**

***DENT’S DECLARATIONS***

***SEE D.C. Dkt. 548-1 at ¶¶ 4, 5***

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Attorneys for Defendant  
ROWLAND MARCUS ANDRADE

IN THE UNITED STATES DISTRICT COURT  
IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

THE UNITED STATES OF AMERICA,	)	<b>DECLARATION OF KERRIE C. DENT IN</b>
Plaintiff,	)	<b>SUPPORT OF ANDRADE'S MOTION FOR</b>
vs.	)	<b>RECONSIDERATION OF MOTION FOR</b>
	)	<b>AN EVIDENTIARY HEARING TO</b>
ROWLAND MARCUS ANDRADE,	)	<b>ADDRESS GOVERNMENT MISCONDUCT</b>
Defendant.	)	<b>AND TO SEEK SANCTIONS, INCLUDING</b>
	)	<b>POTENTIAL DISMISSAL OF THE</b>
	)	<b>INDICTMENT</b>
	)	
	)	No. 3:20-cr-00249-RS
	)	Judge: Hon. Richard Seeborg

1 Kerrie C. Dent, counsel for Defendant Marcus Andrade, states as follows:

2 1. I am one of the lawyers representing Defendant Marcus Andrade in the above-  
3 captioned matter. I file this declaration in support of Mr. Andrade's Motion for Reconsideration  
4 of the Court's Denial of His Motion for an Evidentiary Hearing to Address Government  
5 Misconduct and to Seek Sanctions, Including Potential Dismissal of the Indictment.

6 2. I have personal knowledge of the evidence in this case. In addition, over the past  
7 several months, I have spoken and emailed with our proffered witnesses and/or individuals with  
8 direct knowledge of their personal situations and the information they are willing to share on the  
9 witness stand. If called as a witness in this matter, I could competently testify about these  
10 matters.

11 3. I am filing a motion for reconsideration of the Court's February 5, 2025 denial of  
12 Mr. Andrade's motion for an evidentiary hearing and to address the government's misconduct  
13 based on new evidence that I learned of yesterday. Specifically, I learned yesterday, in a phone  
14 call, that Agent Buma would be willing to provide more detailed evidence than he had  
15 previously indicated.

16 4. One of my confidential sources, who speaks directly with Agent Buma on a  
17 regular basis, informed me yesterday that Agent Buma could testify that notes taken by Jack  
18 Abramoff around May 31, 2018, while in a meeting with Ukrainian businessman Alexander  
19 Levin and Ukrainian billionaire Igor Kolomoisky, relate to two right-wing political campaigns  
20 Abramoff was running. Abramoff's two campaigns were the "Anti-Corruption" campaign  
21 (aimed at tying Joe Biden, Trump's chief political rival at the time, to corruption in Ukraine);  
22 and the "V/V" campaign (a pro-Russia, pro-Putin campaign). A key element to both campaigns  
23 was the use of media to spread the desired narrative. I was told that Agent Buma also could  
24 testify that his interpretation of Abramoff's notes is that the funding for these campaigns came,  
25 in part, from the promotion and sale of AML Bitcoin. My confidential source told me that  
26 Agent Buma has said that he would appear to provide testimony unless his employer, the FBI,  
27 intervened to prevent him from doing so.



I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

/s/ Kerrie C. Dent  
Kerrie C. Dent

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

ROWLAND MARCUS ANDRADE,

Defendant-Appellant.

Case Nos. 25-5095; 25-6056; 25-6507

D.C. No. 3:20-cr-00249-RS-1

Northern District of California,  
San Francisco

**DEFENDANT’S MOTION TO USE  
STOCK ASSETS AND CONDUCT  
PUBLIC FUNDRAISER FOR  
SPECIALIZED COUNSEL AND  
FAMILY SUPPORT**

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**EXHIBIT -H**

***DENT’S DECLARATIONS***

***SEE D.C. Dkt. 657-1 at ¶ 9.***

## Motions

[3:20-cr-00249-RS USA v.  
Andrade](#)

REFDIS,RELATE

### U.S. District Court

### California Northern District

## Notice of Electronic Filing

The following transaction was entered by Shepard, Michael on 6/3/2025 at 6:44 PM and filed on 6/3/2025

**Case Name:** USA v. Andrade

**Case Number:** [3:20-cr-00249-RS](#)

**Filer:** Dft No. 1 - Rowland Marcus Andrade

**Document Number:** [657](#)

### Docket Text:

**Administrative Motion to File Under Seal Corrected Declaration of Kerrie C. Dent. Motion Hearing set for 6/24/2025 09:30 AM in San Francisco, Courtroom 03, 17th Floor before Judge Richard Seeborg. (Attachments: # (1) Declaration of Kerrie C. Dent, # (2) Exhibit A1 - A7, # (3) Exhibit A8 - Part 1, # (4) Exhibit A8 - Part 2, # (5) Exhibit A8 - Part 3, # (6) Exhibit A8 - Part 4, # (7) Exhibit A8 - Part 5, # (8) Exhibit A9)(Shepard, Michael) (Filed on 6/3/2025)**

**3:20-cr-00249-RS-1 No electronic public notice will be sent because the case/entry is sealed.**

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**C:\fakepath\Andrade - Administrative Motion to File Under Seal.pdf

**Electronic document Stamp:**

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**Document description:**Declaration of Kerrie C. Dent

**Original filename:**C:\fakepath\2025.06.03 Andrade - CORRECTED Decl of K. Dent.pdf

**Electronic document Stamp:**

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**Document description:**Exhibit A1 - A7

**Original filename:**C:\fakepath\1\_A1\_A7.pdf

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**Document description:**Exhibit A8 - Part 1

**Original filename:**C:\fakepath\2\_A8\_EX3357\_Part1.pdf

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**Document description:**Exhibit A8 - Part 2

**Original filename:**C:\fakepath\3\_A8\_EX3357\_Part2.pdf

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**Document description:**Exhibit A8 - Part 3

**Original filename:**C:\fakepath\4\_A8\_EX3357\_Part3.pdf

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**Document description:**Exhibit A8 - Part 4

**Original filename:**C:\fakepath\5\_A8\_EX3357\_Part4.pdf

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**Document description:**Exhibit A8 - Part 5

**Original filename:**C:\fakepath\6\_A8\_EX3357\_Part5.pdf

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**Document description:**Exhibit A9

**Original filename:**C:\fakepath\7\_A9\_EX3381.pdf

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21  
22 **IN THE UNITED STATES DISTRICT COURT**  
23 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
24 **SAN FRANCISCO DIVISION**

25 UNITED STATES OF AMERICA,

26 Plaintiff,

27 v.

28 ROWLAND MARCUS ANDRADE,

Defendant.

Case No. 3:20-CR-00249-RS

**CORRECTED DECLARATION OF  
KERRIE C. DENT IN SUPPORT OF  
DEFENDANT ANDRADE'S MOTION FOR  
NEW TRIAL AND FOR JUDGMENT OF  
ACQUITTAL**

Judge: Hon. Richard Seeborg  
Hearing: June 24, 2025, 9:30 a.m.

Kerrie C. Dent, counsel for Defendant Marcus Andrade, states as follows:

1. I am one of the lawyers representing Defendant Marcus Andrade in the above-captioned matter. On May 23, 2025, I filed a declaration in support of Mr. Andrade's motion for new trial and for judgment of acquittal. ECF #645-3 (filed under seal) (May 23, 2025). Paragraphs 2, 3, 4, and 5 set forth lists of certain categories of trial exhibits referenced in our post-trial motion. It has come to my attention that several of the exhibits were included in the wrong category. Accordingly, I file this CORRECTED Declaration to provide accurate lists of the exhibits we relied upon. The remainder of my declaration, beginning with paragraph 6, remains unchanged. The CORRECTED motion for new trial and for judgment of acquittal, filed together with the declaration, was necessary because the brief included numerous non-substantive mistakes that made corrections necessary to make it more reader friendly. Specifically, I made the following non-substantive edits to Mr. Andrade's motion for new trial and for judgment of acquittal:

- Deleted extraneous words from the following lines: 3:7; 3:17; 5:19; 5:25; 9:11; 15:20; 15:25; 23:27; 26:14; 29:14; 37:12; and 44:19.
- Added missing words from the following lines: 6:27; 9:27; 10:20; 24:8; 24:22; 29:14; 38:9; and 44:19.
- Corrected misspellings/typographical errors on the following lines: 19:21; 20:24; 23:25; 30:23; 37:1; and 40:27.
- Added cites to the transcript at the following lines: 10:28; 11:15; and 40:28.
- Deleted the last sentence of footnote 11 because the cite is already in footnote 13.
- Deleted a note to myself at line 26:26.
- Added missing punctuation (mostly periods at the end of sentences) throughout the brief.

2. Mr. Andrade's motion for new trial and for judgment of acquittal sets out numerous occasions where the Court incorrectly excluded offered exhibits based on hearsay. I attach as **Exhibit A** the documents cited in our post-trial motion that were offered but not admitted by the Court:

- i. Trial Exhibit 2127
- ii. Trial Exhibit 2160
- iii. Trial Exhibit 2360
- iv. Trial Exhibit 2472
- v. Trial Exhibit 2473
- vi. Trial Exhibit 2474
- vii. Trial Exhibit 3355
- viii. Trial Exhibit 3357
- ix. Trial Exhibit 3381

3. Mr. Andrade's motion for new trial and for judgment of acquittal also cites to trial exhibits the Court incorrectly excluded, but later admitted. I attach those trial exhibits as **Exhibit B:**

- i. Trial Exhibit 2327 (redacted)
- ii. Trial Exhibit 2333 (redacted)
- iii. Trial Exhibit 2334 (redacted)
- iv. Trial Exhibit 2337 (redacted)

4. Mr. Andrade's post-trial motion also references trial exhibits that were not offered, based on the Court's prior rulings. I attach those trial exhibits as **Exhibit C:**

- i. Trial Exhibit 2082
- ii. Trial Exhibit 2083
- iii. Trial Exhibit 2084
- iv. Trial Exhibit 2085



- v. Trial Exhibit 3000-B
- vi. Trial Exhibit 3000-C
- vii. Trial Exhibit 3000-D
- viii. Trial Exhibit 3000-E
- ix. Trial Exhibit 3185
- x. Trial Exhibit 3262
- xi. Trial Exhibit 2522
- xii. Trial Exhibit 2685
- xiii. Trial Exhibit 2934
- xiv. Trial Exhibit 3184
- xv. Trial Exhibit 3261
- xvi. Trial Exhibit 2786

5. Mr. Andrade's post-trial motion also cites to trial exhibits that the parties offered, and the Court admitted. I attach those documents as **Exhibit D**:

- i. Trial Exhibit 8
- ii. Trial Exhibit 10
- iii. Trial Exhibit 115
- iv. Trial Exhibit 221
- v. Trial Exhibit 489
- vi. Trial Exhibit 602
- vii. Trial Exhibit 805
- viii. Trial Exhibit 884
- ix. Trial Exhibit 891
- x. Trial Exhibit 897
- xi. Trial Exhibit 1122
- xii. Trial Exhibit 1448

- xiii. Trial Exhibit 1459
- xiv. Trial Exhibit 1514
- xv. Trial Exhibit 1520
- xvi. Trial Exhibit 2106
- xvii. Trial Exhibit 2471
- xviii. Trial Exhibit 3054
- xix. Trial Exhibit 3109
- xx. Trial Exhibit 3047

6. Before the jury instructions were given in this case, we raised the lack of any mention of the specific transaction that had been charged by the grand jury. We raised the issue first with the government and then with the Court, again to no avail. With the government, defense counsel wrote to “follow[] up on [his] quick call to Dave [Ward] earlier regarding our concerns on the money laundering elements as drafted and their omission of the transaction charged in the indictment.” The government responded: “That issue was settled when Judge Seeborg finalized the jury instructions. As he has said multiple times now, you have preserved your objections. No need for further meet and confers on that issue, in our view.” I attach the March 10, 2025 email exchange as **Exhibit E**. We then re-raised the issue with the Court, explaining that we were bringing the issue back “because it seemed so fundamentally wrong.” The Court inquired about whether the instruction followed the pattern and then stated: “[Y]ou’ve preserved your objection. To the extent you haven’t, I think you waived it because it is the last day, but it sounds like you preserved it, but I am not going to change the instructions.” Tr. 2947:1-2, 22-25.

7. The government offered, and the Court admitted, Exhibit 805, which is a screenshot of new passwords that were created in January 2020. The screenshot that was marked and admitted as Exhibit 805 did not appear on Mr. Andrade’s phone until 2020, and as best as we can determine, no such document with the initials “MA” as part of the passwords – the key to the

government's argument that Mr. Andrade controlled the accounts – was on his phone prior to 2020. The FBI seized and produced to Mr. Andrade all the prior versions of the social media password list, none of which included passwords that began with the letters “M and A.” From late 2017 to November 2018, Dylan Pugliese maintained the passwords for the social media accounts. See **Exhibit F**, FBI-00033510. The metadata I reviewed on the Relativity database that stores the data for this case shows that this version of the passwords, “AML PWs Updated,” was created by Pugliese on December 3, 2017, and last updated by him on November 16, 2018. From November 2018 to April 2019, Melanie Cowan maintained the passwords for the social media accounts. See **Exhibit G**, FBI-00033498. The metadata I reviewed on the Relativity database shows that this version of “AML PWs Updated” was created by Melanie Cowan on November 14, 2018, and last updated on April 22, 2019. And from April 2019 to December 2019, Bernadette Tran maintained the passwords for the social media accounts. See **Exhibits H and I**, FBI-00048234 and FBI-00048235. The metadata I reviewed on the Relativity database shows that she renamed the list “ABTC Corp Password and Vendors List” on April 5, 2019, and last updated that document on December 11, 2019. The Cellebrite report from Mr. Andrade's G7 phone, produced by the government, includes a message from Mr. Andrade to Melanie Cowan on January 13, 2020, showing that they were changing the social media passwords as Melanie was departing. Marcus says to Melanie: “Please let me know if all passwords have been submitted over and all login credentials that were in your personal name have been converted over to a company email account. Also please make sure you disable SMS on all Company account that were using your number.” See **Exhibit J**, FBI-DEVICE-000001 (Cellebrite Entry 400). This email provides yet an additional reason I believe the government should have known the MA passwords were newly created and were not in place during the relevant 2017-2018 period. In addition, the screenshot of the list of social media passwords that the government offered as Exhibit 805 was sent by WhatsApp to Mr. Andrade on February 3, 2020, by his lawyer Axel Lindholm. See **Exhibit K**. It is not clear why the government was in possession of a

document that was attached to a privileged communication. The list appears to have been sent to Mr. Lindholm and Mr. Andrade on January 9, 2020, by a paralegal who was assisting Mr. Andrade with changing all of the passwords for the social media accounts as some of his staff was leaving. See **Exhibit L**.

8. Mr. Andrade's phone was the only device seized from him for which the case agents requested and received immediate working copies. The reports from the forensics laboratory made it clear that, in addition to the three minimized reports that were provided to the case agents almost immediately after the phone was seized, there also was an unminimized, pre-taint review image. Even after numerous pleadings were filed, many letters were written, hearings were held, and orders were issued, the government never produced the unminimized extraction of the G7. Judge Beeler ordered that "the government must produce the unminimized version of the Motorola G7 and the unminimized Cellebrite report." Order Granting Motion to Compel, Dkt. #292 at 2:6-7 (March 17, 2024) (emphasis added). But, despite the government's representation that it had produced the unminimized image of Mr. Andrade's Motorola G7 (Dkt. #299 at 2:26, April 19, 2024), the government only re-produced the minimized extraction of the phone that it previously had produced. King & Spalding eDiscovery Operations and an outside vendor confirmed, that the government has not produced the unminimized, pre-taint version of the phone. Attempting to explain producing only such a small portion of the phone, the government claimed that there were technical difficulties with imaging the phone, rendering it impossible to obtain a full image. But when defense counsel asked for the forensics reports that would have been written by the RCFL to document the difficulty in imaging the phone, no such forensics reports were provided. Instead, the government produced an FBI 302 report written by Agent Zartman in July 2024, more than four years after the phone was seized and imaged, and several months after the parties briefed the Judge Beeler's March 17, 2024 Order directing the government to produce the unminimized version of the phone. In addition, another 302 produced by the government indicates that in August 2020, the FBI conducted a taint review of Mr.

1 Andrade's phone, tagging potentially privileged documents using a list of attorneys, and placed  
2 the Cellebrite file in the case file for "later review by a prosecutor," further proving that a pre-  
3 taint report of the phone existed at some point in time.

4 9. An attorney for former FBI agent Jonathan Buma informed me that his client  
5 could confirm that Jack Abramoff has been a government informant. That is one of the things  
6 Mr. Buma could have testified about had the Court granted Mr. Andrade's motion for an  
7 evidentiary hearing on the government's misconduct. Mr. Buma's testimony would undermine  
8 Jack Abramoff's trial testimony that he was not an informant.

9 10. The Court did not let us call Christine Lee to impeach co-conspirator Dillman.  
10 The government had interviewed Lee on March 3, 2022, learned about her potential testimony  
11 almost three years before trial, and had been in possession of the defense's proffered documents  
12 corroborating Lee's testimony since February 23, 2022. Dillman was under indictment, and  
13 unavailable to testify given his fifth amendment privilege, and there should have been no dispute  
14 about Lee's testimony given the existence of corroborating documents, See **Exhibit M**, FBI-302-  
15 024998 and **Exhibit N**, FBI-302-025030.

16 I declare under penalty of perjury that the foregoing is true and correct, and that this  
17 declaration was executed on June 3, 2025, in Boston, Massachusetts.

18  
19 /s/ Kerrie C. Dent

20 KERRIE C. DENT  
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